

CHAPTER 567

FAUNA AND FLORA PROTECTION

Ordinances AN ORDINANCE TO PROVIDE FOR THE PROTECTION OF THE FAUNA AND FLORA OF
 Nos. 2 of 1937, SRI LANKA.
 31 of 1942,
 12 of 1944,
 12 of 1945.

Acts
 Nos. 38 of 1949,
 44 of 1964,
 1 of 1970.

[1st March, 1938.]

Short title.

1. This Ordinance may be cited as the Fauna and Flora Protection Ordinance.

PART I

NATIONAL RESERVES AND SANCTUARIES

Constitution of
 National
 Reserves, Strict
 Natural
 Reserves,
 National
 Parks, Nature
 Reserves,
 Jungle
 Corridors,
 Intermediate
 Zones, and
 Sanctuaries.
 [§ 2, 44 of
 1964.]

2. (1) The Minister may by Order published in the Gazette declare that any specified area of State land shall for the purposes of this Ordinance be a National Reserve and may by that Order or by any Order subsequently published in the Gazette declare that the whole or any specified part of any such National Reserve shall be—

- (a) a Strict Natural Reserve ; or
- (b) a National Park ; or
- (c) a Nature Reserve ; or
- (d) a Jungle Corridor ; or
- (e) an Intermediate Zone.

(2) The Minister may by Order published in the Gazette declare that any specified area of land within Sri Lanka (other than land declared to be a National Reserve) shall be a Sanctuary for the purposes of this Ordinance.

(3) An area declared to be a Sanctuary may include both State land and land other than State land.

(4) The Minister may by Order published in the Gazette declare that from a specified date—

- (a) the limits of any Strict Natural Reserve, National Park, Nature Reserve, Jungle Corridor or Intermediate Zone shall be altered or varied ;

(b) any National Reserve or part thereof shall cease to be a National Reserve ;

(c) any Sanctuary or part thereof shall cease to be a Sanctuary ;

(d) that a National Reserve of one class shall be a National Reserve of another class.

(5) (a) The Minister may, by Order, declare that the limits of any National Reserve or Sanctuary shall be altered or varied. [§ 3, 1 of 1970.]

(b) Any Order made by the Minister under this subsection shall have no effect unless it has been approved by Parliament and notification of such approval is published in the Gazette.

3. (1) Save as hereinafter provided—

(a) no person shall be entitled to enter any Strict Natural Reserve, Nature Reserve or Jungle Corridor or in any way to disturb the fauna and flora therein ;

(b) no person shall be entitled to enter any National Park except for the purpose of observing the fauna and flora therein ;

(c) no animal shall be hunted, killed or taken and no plant shall be damaged, collected, or destroyed, in a Strict Natural Reserve, National Park, Nature Reserve or Jungle Corridor ;

Essential
 features of
 Strict Natural
 Reserves,
 Jungle
 Corridors,
 National
 Parks,
 Sanctuaries
 and
 Intermediate
 Zones.
 [§ 3, 44 of
 1964.]

[§ 2, 44 of
 1964.]
 [§ 3, 1 of
 1970.]

[§ 3, 44 of
 1964.]

[§ 3, 44 of 1964.]	(d) no person shall hunt, shoot, kill or take any wild animal, or take or destroy any egg of any bird or reptile or any nest of any bird, in any Sanctuary.	(2) A permit under subsection (1) (b) shall be issued only for the purpose of authorizing scientific research.	Restriction of entry into National Parks.
[§ 4, 1 of 1970.]	(1A) No person shall, on any State land or any part thereof within any Sanctuary, carry, or have in his possession or under his control, a gun, or a cartridge or other explosive of any description except under the authority, and in accordance with the terms or conditions, of a permit issued by the prescribed officer upon the payment of the prescribed fee. The preceding provisions of this subsection shall be in addition to, and not in derogation of, the provisions of the Firearms Ordinance.	(5) (1) No person shall enter or remain within any National Park except under the authority and in accordance with the conditions of a permit issued by the prescribed officer on payment of the prescribed fee. (2) A permit under subsection (1) shall be issued only for the purpose of enabling the permit-holder to study or observe the fauna and flora in a National Park. (3) If no fee is prescribed for the issue of a permit under subsection (1), such permit shall be issued free of charge.	Restriction of entry into National Parks.
[§ 4, 1 of 1970.]	(2) Any person shall be entitled, subject to such conditions and restrictions as may be prescribed, to enter any Intermediate Zone and to hunt, shoot, kill or take any wild animal therein. (3) Nothing in the preceding provisions of this section shall be deemed or construed to prohibit or restrict the exercise by any person of any right acquired by him, whether by law or custom or usage, in or over any land situated within the limits of any Nature Reserve, or Jungle Corridor, or in or over any State land in any Sanctuary, being a right which was so acquired by such person prior to the date of the establishment of such Reserve, Corridor or Sanctuary.	(5A) (1) No person shall enter or remain within any Nature Reserve or Jungle Corridor except under the authority and in accordance with the conditions of a permit issued by the prescribed officer on payment of the prescribed fee. (2) If no fee is prescribed for the issue of a permit under subsection (1), such permit shall be issued free of charge.	Restriction of entry into Nature Reserves and Jungle Corridors. [§ 4, 44 of 1964.]
[§ 4, 1 of 1970.]	(4) Any right referred to in subsection (3) which has not been, or is not, exercised by the person entitled thereto for a continuous period of two years shall be deemed to have lapsed, or to lapse, and to have been, or to be, ceded to the State.	6. (1) No person shall in a Strict Natural Reserve, National Park, Nature Reserve or Jungle Corridor— (a) hunt, shoot, kill, wound or take any wild animal or have in his possession or under his control any wild animal, whether dead or alive, or any part of such animal ; or (b) take or destroy any egg of any bird or reptile, or any nest of any bird ; or (c) fire any gun or do any other act which disturbs or is likely to disturb any wild animal or do any act which interferes or is likely to interfere with the breeding place of any such animal ; or (d) fell, girdle, lop, tap, burn or in any way damage or destroy any plant, or take, collect, or remove any plant therefrom ; or (e) clear or break up any land for cultivation, mining or for any other purpose ; or	Acts prohibited in Strict Natural Reserves, National Parks, Nature Reserves and Jungle Corridors. [§ 5, 44 of 1964.] [§ 5, 1 of 1970.]
Restriction of entry into Strict Natural Reserves.	4. (1) No person other than the Director shall enter or remain within any Strict Natural Reserve except— (a) for the purpose of discharging any official duty on the instructions or with the written permission of the Director ; or (b) under the authority and in accordance with the conditions of a written permit from the Director.		

- (f) kindle or carry any fire ; or
- (g) possess or use any trap or any explosive or poisonous substance capable of being used for the purpose of injuring or destroying any animal or plant ; or
- (h) make any fresh clearing ; or
- (i) except under the authority of a permit issued in that behalf by the prescribed officer, erect any building, whether permanent or temporary, or occupy any building so erected : or
- (j) construct or use any road or path so constructed by him.
- (2) No person shall introduce any animal into any Strict Natural Reserve, National Park, Nature Reserve or Jungle Corridor, or tether, liberate or release any animal therein.
- (3) No person shall lead, or allow to stray any domestic animal into any National Reserve. It shall be lawful for the Director or any officer authorized by the Director to seize any domestic animal within any National Reserve and to release it to the owner thereof on the payment of a prescribed fine if such animal is claimed within twenty-eight days of such seizure. Any animal not so claimed may be disposed of by the Director in such manner as he may deem fit.
- 6A.** (1) No person shall fish or take any aquatic animal or plant from any waters within a National Reserve, or Sanctuary which is on State land, except under the authority, and in accordance with the conditions, of a permit issued by a prescribed officer on payment of the prescribed fee.
- (2) No person shall remove any object of archaeological, pre-historic, historical, geological or other scientific interest, or any other object of mineral value, from any National Reserve or Sanctuary except under the authority, and in accordance with the conditions, of a permit issued by the prescribed officer on payment of the prescribed fee.
- (3) If no fee is prescribed for the issue of a permit under subsection (1) or subsection (2), such permit shall be issued free of charge.
- (4) Where the prescribed officer is satisfied that any application for the issue of a permit under subsection (1) is for the purpose of enabling the applicant to catch fish in any waters referred to in that subsection for the local consumption of the inhabitants of any village who have, by custom or usage, fished in such waters for that purpose, then, notwithstanding the provisions of that subsection, such officer shall issue such permit free of charge.
7. (1) No person shall, except in accordance with regulations—
- (a) enter, or remain in, any Intermediate Zone : or
- (b) in any Intermediate Zone or Sanctuary—
- (i) fire any gun, or do any other act which disturbs or is likely to disturb any wild animal or do any act which interferes or is likely to interfere with the breeding place of any such animal ; or
- (ii) hunt, shoot, kill, or take any wild animal, or have in his possession or under his control any wild animal, whether dead or alive, or any part of any such animal ; or
- (iii) take or destroy any egg of any bird or reptile or any nest of any bird ; or
- (iv) construct or use any hide or ambush on the ground or on any tree for hunting, shooting, injuring or wounding any wild animal, bird or reptile ; or
- (v) set, lay or spread any pitfall, trap, snare or other instrument for the purpose of killing or capturing any wild animal, bird or reptile ; or

[§ 7, 1 of 1970.]

(c) in any Intermediate Zone or on any State land within any Sanctuary—

- (i) fell, girdle, lop, tap, burn or in any way damage or destroy any plant, or take, collect, or remove any plant therefrom; or
- (ii) clear or break up any land for cultivation, mining or for any other purpose; or
- (iii) kindle or carry any fire; or
- (iv) possess or use any trap or any explosive or poisonous substance capable of being used for the purpose of injuring or destroying any animal or plant; or

[§ 7, 1 of 1970.]

(v) make any fresh clearing; or

(vi) erect any building whether permanent or temporary or occupy any building so erected unless such person is the holder of a permit issued in that behalf by the prescribed officer; or

(vii) construct or use any road or path so constructed by him.

(2) No person shall, except in accordance with regulations, introduce any animal into any Intermediate Zone or tether, liberate or release any animal therein.

Acts prohibited in vicinity of National Reserve.
[§ 7, 44 of 1964.]

8. No person shall, from any road or land outside a Strict Natural Reserve, National Park, Nature Reserve, Jungle Corridor or Intermediate Zone, hunt, shoot, kill or take any wild animal in such reserve, park, corridor or zone.

Special regulations for Part I.

9. Regulations may be made—

(a) prescribing the conditions and restrictions subject to which persons may be permitted to enter any Intermediate Zone or to hunt, shoot, kill or take any wild animal therein;

(b) prescribing the circumstances and cases in which and the conditions and restrictions subject to which wild animals may be hunted, shot, killed or taken in a Sanctuary;

(c) prescribing the conditions to be attached to any permit issued for the purposes of this Part of this Ordinance and the fees to be paid for the issue of such permits;

(d) for the purpose of extending, with such modification as may be necessary, all or any of the provisions of Part II or of Part III of this Ordinance to any Intermediate Zone or Sanctuary;

(e) for the purpose of extending, with such modification as may be necessary, all or any of the provisions of this Part of this Ordinance to any specified insect;

(f) declaring that all or any of the provisions of this Part of this Ordinance shall not apply to any specified species of animal in any specified area.

10. Any person who acts in contravention of—

Offences and penalties under Part I.

(a) any provision of this Part of this Ordinance; or

(b) any regulation made under section 9 for any purpose set out in that section; or

(c) any provision of Part II or Part III of this Ordinance which has by regulation been extended, with or without modification, to any Intermediate Zone or Sanctuary; or

(d) any provision of this Part of this Ordinance which has by regulation been extended, with or without modification, to any specified insect,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term which may extend to six months or to both such fine and imprisonment.

Interpretation
of Part I.

11. In this Part of this Ordinance, unless the context otherwise requires—

[§ 8, 1 of
1970.]

“animal” means any vertebrate or invertebrate animal and includes a bird, fish, or reptile ;

“domestic animal” means—

(a) any head of cattle, or any sheep, goat, horse, ass, mule, dog, or cat ;

(b) any domestic fowl or other bird commonly reared by man as poultry ; and

(c) when domesticated by man, any elephant, buffalo, pig, deer, hare, rabbit, peacock, parrot, pigeon, or other animal ;

“plant” means any member of the vegetable kingdom and includes the seed or any other part of any plant ;

“wild animal” means any animal which is not a domestic animal.

PART II

TUSKERS. ELEPHANTS. BUFFALOES. DEER AND FOWL

Protection of
tuskers,
elephants,
buffaloes, deer
and fowl in
areas outside
National
Reserves and
Sanctuaries.
[§ 8, 44 of
1964.]

12. (1) Save as is hereinafter provided, no person shall, in any area outside a National Reserve or a Sanctuary—

(a) hunt, shoot, kill, injure or take any tusker or elephant ; or

(b) during the close season, hunt, shoot, kill, or take any deer or fowl ; or

(c) without a licence in that behalf from the Warden—

(i) capture any buffalo ;

(ii) at any time other than during the close season hunt, shoot, kill or take any deer or fowl.

* (3) Every licence under subsection (1) shall be issued in the prescribed form on payment of the prescribed fee and shall

continue in force for such period and within such limits and be subject to such conditions as the Director may consider necessary or expedient to insert therein. [§ 37, 1 of 1970.]

(4) The holder of any licence under subsection (1) (c) shall not later than fifteen days after the expiry of the licence return the expired licence to the Director or the prescribed officer and intimate to him the particulars of any buffalo, deer or fowl captured or killed. [§ 8, 44 of 1964.] [§ 37, 1 of 1970.]

13. (1) (a) Whenever it appears to the Director that in any area outside a National Reserve damage to any person or to any house, crop, plantation or other property is likely to be caused by any elephant or buffalo, he may by notices affixed in conspicuous places within that area declare that area to be one within which damage by elephant or buffalo is apprehended and he may take such steps as may be necessary or expedient to have the elephant or buffalo driven off or captured and may issue licences subject to such conditions as he may deem necessary either free or on payment of the prescribed fee, or of such fee not exceeding the prescribed fee, if any, as he may consider adequate, authorizing the licensee to capture such elephant or buffalo within that area while the declaration is in force. Declaration of areas in which damage by elephant, or buffalo is apprehended. [§ 9, 44 of 1964.] [§ 2, 1 of 1970.] [§ 37, 1 of 1970.]

(b) Whenever it appears to the Director that there is serious danger to life or property in the area referred to in subsection (1) (a), he may issue licences subject to such conditions as he may deem necessary or expedient either free or on payment of the prescribed fee or of such fee not exceeding the prescribed fee, if any, as he may consider adequate, authorizing the licensee to shoot, kill or take the elephant or buffalo, as the case may be, within that area while the declaration is in force. [§ 37, 1 of 1970.]

(2) Every declaration under subsection (1) shall be forthwith reported by the Director to the Minister and shall continue in force for a period of two months from the date of such declaration. [§ 2, 1 of 1970.] [§ 37, 1 of 1970.]

(3) The Minister may by notification in the Gazette extend or restrict the period for

* Subsection (2) is repealed by Act No. 1 of 1970.

which such declaration shall continue in force, or may otherwise vary or revoke such declaration, but without prejudice to anything done or suffered thereunder prior to the publication of such notification.

14. Where the Director is satisfied that any elephant is found trespassing repeatedly in or upon any plantation or cultivated land and is causing serious damage to the owner of the plantation or cultivated land or likely to cause damage to life or property of those living therein, he may issue to any person a special licence, subject to such conditions as he may deem necessary or expedient, either free or on the payment of the prescribed fee or such fee not exceeding the prescribed fee, if any, as he may consider adequate, authorizing that person to follow or pursue such tusker or elephant to any place (not being a place within a National Reserve) and to shoot, kill or take such elephant.

15. (1) It shall be lawful for the owner or person in charge of any cultivated land at any time to set, lay or spread any trap, snare, net or pitfall in or upon that land for the purpose of killing or taking any deer or fowl which trespasses or attempts to trespass thereon.

(2) Save as provided in subsection (1), no person shall set, lay or spread any trap, snare, net or pitfall for the purposes of taking any deer or fowl.

16. Any person who in the exercise of any right conferred by or under section 13, or section 14, or section 15, kills or takes any elephant, buffalo, deer or fowl, shall forthwith report such killing or taking to any police officer entitled to officiate in the area within which such killing or capture took place or to any prescribed officer.

17. (1) Any elephant duly killed or taken by any person under the authority of any licence issued under this Part of this Ordinance, shall be the property of that person, unless otherwise provided in the conditions attached to the licence.

(2) Subject to the provisions of subsection (1), every elephant which is killed or captured shall be the property of the State.

(3) Any buffalo, deer, or fowl duly killed or taken by any person in accordance with the provisions of this Part of this Ordinance shall be the property of that person, unless otherwise provided in the conditions attached to the licence, where any such buffalo, deer or fowl was killed or taken under the authority of a licence.

18. Subject to such restrictions or conditions as may be prescribed, the Director may, by sale or otherwise, dispose of the tusks or the carcase, or any part of the carcase, of any dead elephant which is the property of the State.

19. (1) A royalty according to such rates as may, from time to time, be prescribed shall be levied as export duty by the officers of customs at the port of shipment in respect of every elephant, whether wild or tame, exported from Sri Lanka to any place outside Sri Lanka.

(2) No elephant, whether wild or tame, shall be exported from Sri Lanka to any place outside Sri Lanka except under the authority of a special permit issued by the Director.

(3) This section shall have effect as if it formed part of the Customs Ordinance and the provisions of that Ordinance shall apply accordingly.

20. Any person who—

(a) in contravention of this Part of this Ordinance or contrary to the tenor of any licence issued to him thereunder, hunts, shoots, kills, injures, takes, follows, or pursues any elephant; or

(b) exports any elephant, whether wild or tame, from Sri Lanka except under the authority of a special permit issued under section 19, or in any way evades payment of the royalty payable on such export,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding two thousand rupees or to imprisonment of either description for a term which may extend to two years or to both such fine and

Director authorized to dispose of tusks and carcasses of dead elephants. [§ 10, 1 of 1970.]

Royalties payable on export of elephants. [§ 2, 1 of 1970.]

[§ 2, 1 of 1970.]

[§ 37, 1 of 1970.]

Offences Elephants.

[§ 11, 1 of 1970.] [§ 2, 1 of 1970.]

[§ 2, 1 of 1970.]

[§ 13, 44 of 1964.]

[§ 13, 44 of 1964.]

Shooting, killing or taking of elephants under special licence. [§ 10, 44 of 1964.] [§ 37, 1 of 1970.] [§ 2, 1 of 1970.]

Killing or taking of deer or fowl on cultivated land. [§ 11, 44 of 1964.]

Killing or taking of elephants to be reported forthwith. [§ 12, 44 of 1964.] [§ 2, 1 of 1970.]

Property in elephants, tuskers, &c., killed or taken under Part II.

[§ 2, 1 of 1970.]

imprisonment; and where any person who is convicted of an offence mentioned in paragraph (a) of this section in respect of the killing or taking of any elephant is found by the court to be in possession of that elephant or its carcase or tusks, the court may make order directing such elephant, carcase, or tusks to be delivered to the possession or custody of any officer of Government to be held by that officer for and on behalf of the State.

[§ 2, 1 of 1970.]

Offences:
Dead
elephants.
[§ 12, 1 of 1970.]

21. (1) Subject to the provisions of subsection (2), any person who takes, dismembers, removes, sells or purchases the carcase, or any part of the carcase, of any dead elephant which is the property of the State shall be guilty of an offence and shall on conviction be liable to a fine not exceeding two hundred rupees or to imprisonment of either description for a term which may extend to one month or to both such fine and imprisonment.

(2) Nothing in subsection (1) shall apply to the carcase or any part of the carcase of any dead elephant which is the property of the State if such carcase or such part of the carcase has been disposed of by the Director under section 18.

Offences
Buffaloes, deer
or fowl.

22. Any person who -

- (1) in contravention of this Part of this Ordinance or contrary to the tenor of any licence issued to him thereunder, hunts, shoots, kills, or takes any buffalo, deer, or fowl; or
- (2) in contravention of this Part of this Ordinance—
 - (a) sets, lays, or spreads any snare, net, or pitfall for the purpose of killing or taking any deer or fowl; or
 - (b) during the close season, hunts, shoots, kills or takes any deer or fowl; or
- (3) during the close season takes or removes the eggs of any fowl,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding

three hundred rupees or to imprisonment of either description for a term which may extend to three months or to both such fine and imprisonment. [§ 15, 44 of 1964.]

22A. (1) No person shall own, have in his custody or make use of an elephant unless it is registered and unless a licence in respect of the elephant has been obtained in accordance with the provisions of this section. Registration and licensing of elephants. [§ 16, 44 of 1964.] [§ 2, 1 of 1970.]

(2) Every person who owns or has in his custody an elephant shall register such elephant with the prescribed officer.

(3) Every person who owns or has in his custody an elephant shall, prior to registration, pay such registration fee as may be prescribed.

(4) The Director shall maintain a register of elephants in such form as may be prescribed. [§ 37, 1 of 1970.]

(5) Every person who owns or has in his custody an elephant shall, upon payment of the prescribed licence fee, obtain from the prescribed officer an annual licence in respect of such elephant.

(6) Where a person becomes the owner, or obtains the custody, of an elephant by virtue of sale, gift, the death of the previous owner or in any other manner whatsoever, such person shall immediately inform the Director or prescribed officer and, if the elephant is registered or licensed, take such steps as may be prescribed to have the previous registration and licence cancelled and to have a fresh registration made and a fresh licence obtained. [§ 2, 1 of 1970.] [§ 37, 1 of 1970.]

(7) Any person who owns, has in his custody or makes use of an elephant which is not registered, and in respect of which a licence has not been obtained, in accordance with the provisions of this section, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five hundred rupees or to imprisonment of either description which may extend to three months or to both such fine and imprisonment. [§ 2, 1 of 1970.]

(8) Regulations may be made—

(a) specifying the officers to whom applications for registration of, and licences in respect of, elephants shall be made, and who shall have power to register and issue licences in respect of elephants ;

(b) specifying the particulars to be set out in any such application, in the document certifying such registration and in such licence, including reference to identification marks and other details of the elephant to which the application, document certifying registration or licence relates ;

(c) specifying the conditions subject to which such registration shall be made and licence issued and the fees payable for such registration and licence ;

(d) specifying the form in which prescribed officers shall maintain registers under this section ; and

(e) specifying the manner in which any such registration or licence shall be cancelled and a fresh registration made and a fresh licence issued.

23. (1) Any person who is in unlawful possession of an elephant shall be guilty of an offence and shall on conviction be liable to a fine not exceeding two thousand rupees or to imprisonment of either description for a term which may extend to one year or to both such fine and imprisonment ; and the court may on the conviction of any such person make order for the disposal of the elephant in respect of which the offence was committed, having regard to the rights of any other person who may appear to the court to be lawfully entitled to the possession of such elephant.

(2) A person who is found in possession of an elephant shall be deemed to be in unlawful possession of that elephant unless—

(a) he is the captor of that elephant under the authority of a licence issued

under this Ordinance or under any written law repealed by Ordinance No. 2 of 1937 ; or

(b) he is the successor in title to such captor ; or

(c) he is in possession on behalf of such captor or his successor in title.

24. (1) No person shall have in his possession a tusk or tush unless such tusk or tush has been registered with a prescribed officer.

Tusks and tushes to be registered. [§ 18, 44 of 1964.]

(2) Every prescribed officer shall keep a register for the registration of tusks and tushes in such form as may be prescribed.

(3) Any person who has in his possession a tusk or tush which has not been registered shall be guilty of an offence and shall on conviction be liable to a fine not exceeding two hundred rupees or to imprisonment of either description for a term which may extend to two weeks or to both such fine and imprisonment.

(4) The court may, on the conviction of any person of an offence under subsection (3), make order for the disposal of the tusk or tush in respect of which the offence was committed, having regard to the rights of any other person who may appear to the court to be lawfully entitled to the possession of such tusk or tush.

(5) Regulations may be made—

(a) specifying the officer who shall have power to register tusks and tushes, and

(b) specifying the form in which prescribed officers shall maintain registers under this section.

25. (1) Where it appears to the Director or to any police officer or other prescribed officer that any person is in unlawful possession of any elephant, tusk or tush, it shall be lawful for the Director or such police or other prescribed officer to seize such elephant, tusk or tush and detain such elephant and to apply to the Magistrate having jurisdiction over the place where the

Power of Director, &c., to seize elephant, tusk or tush on suspicion. [§ 19, 44 of 1964.] [§ 37, 1 of 1970.] [§ 2, 1 of 1970.]

[§ 2, 1 of 1970.]

Penalty for unlawful possession of elephant. [§ 17, 44 of 1964.] [§ 2, 1 of 1970.]

[§ 2, 1 of 1970.]

elephant, tusk or tush was seized to make order for the disposal of such elephant, tusk or tush and the Magistrate to whom such application is made may, after such inquiry as he may deem necessary, make such order for the disposal of the elephant, tusk or tush as the justice of the case may require.

(2) An order made under this section shall not affect the liability of any person to be prosecuted for any offence committed in respect of the elephant, tusk or tush to which the order relates.

26. (1) Any person who is in unlawful possession of—

(a) the meat or flesh of any deer or fowl ;
or

(b) the hide or horn of any deer ; or

(c) the skin, feathers or eggs of any fowl.

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding two hundred and fifty rupees or to imprisonment of either description for a term which may extend to three months or to both such fine and imprisonment.

(2) A person who is found in possession of—

(a) the meat or flesh of any deer or fowl ;
or

(b) the hide or horn of any deer ; or

(c) the skin, feathers or eggs of any fowl,

shall be deemed to be in unlawful possession thereof unless such meat, flesh, hide, horn, skin, feathers or eggs, as the case may be, was or were part of or taken or obtained from any deer or fowl lawfully killed or taken in accordance with the provisions of this Part of this Ordinance.

27. Regulations may be made prescribing the circumstances in which and the conditions subject to which the Director may waive or reduce the fee prescribed for the issue of any licence under this Part of this Ordinance.

28. In this Part of this Ordinance, unless otherwise expressly provided or unless the context otherwise requires—

“ buffalo ” means a wild buffalo ;

“ deer ” means any of the following species of deer :—

(a) Sambur (*Rusa unicolor unicolor*),

(b) Spotted deer (*Axis axis Ceylonensis*),

(c) Red or barking deer (*Muntiacus malabaricus*),

(d) Mouse deer (*Tragulus meminna*) ;

“ elephant ” means a wild elephant, and includes a tusker, and for the purposes of section 22A, includes a tame or domestic elephant or tusker ;

“ fowl ” means any of the following species of fowl or partridge :—

(a) Pea fowl (*pavo cristatus*),

(b) Ceylon spur fowl (*Galloperdix bisalcarata*),

(c) Grey partridge (*Francolinus pondicerianus*),

(d) Painted partridge (*Francolinus pictus*),

(e) Jungle fowl (*gallus lafayetteii*),

(f) Ceylon jungle bush quail (*perdicula asiatica Ceylonensis*) ;

“ tusk ” means the tusk of a tusker ;

“ tush ” means the tush of a tusker ;

“ tusker ” means a wild elephant with a pair of incisors (teeth) or a single incisor.

29. The foregoing provisions of this Part of this Ordinance shall have no application to the hunting, killing, taking, pursuit, or possession of—

(a) any elephant seized or taken at any elephant kraal held under the Elephant Kraal Ordinance, or

Interpretation of Part II.

[§ 14, 1 of 1970.]

[§ 21, 44 of 1964.]

[§ 21, 44 of 1964.]

[§ 21, 44 of 1964.]

[§ 21, 44 of 1964.]

[§ 21, 44 of 1964.]

[§ 14, 1 of 1970.]

Part II not to apply to elephants, &c., seized at kraals.

[§ 2, 1 of 1970.]

[§ 19, 44 of 1964.]
[§ 2, 1 of 1970.]
Penalty for unlawful possession of meat, &c., of deer and fowl.

[§ 13, 1 of 1970.]

[§ 20, 44 of 1964.]

Special regulations for Part II.
[§ 37, 1 of 1970.]

- (b) any buffalo seized or taken at any buffalo kraal held in such manner and circumstances and subject to such conditions as may be prescribed.
- authorized or permitted by any regulation made under section 32.

PART III

BIRDS, BEASTS, AND REPTILES

Offences relating to birds. [§ 22, 44 of 1964.]

30. (1) Any person who in any area outside a National Reserve or a Sanctuary—

- (a) knowingly kills, wounds or takes any bird ; or
- (b) takes or destroys the eggs or nest of any bird ; or
- (c) uses any boat or any lime, snare, net, trap or other instrument for the purpose of killing or taking any bird ; or
- (d) has in his possession or under his control any bird recently killed or taken, or the skin of any bird recently killed or taken, or the feathers of any bird recently killed or taken or the recently taken eggs of any bird ; or
- (e) exposes or offers for sale any bird or any part of any bird,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding two hundred and fifty rupees or to imprisonment of either description for a term which may extend to three months or to both such fine and imprisonment :

Provided that no person shall be deemed to have committed an offence under this section in relation to any bird specified in Schedule I at any time of the year, and in relation to any bird specified in Schedule II in the open season.

(2) A person shall not be guilty of an offence under this section if the act which constitutes such offence has been done in the circumstances and subject to the conditions under which such act is

31. (1) Any person who in any area outside a National Reserve or Sanctuary—

- (a) kills, wounds or takes any reptile or beast included for the time being in Schedules III and IV ; or
- (b) takes or destroys the eggs or nest of any such reptile ; or
- (c) uses any boat or any lime, snare, net, trap or other instrument for the purpose of killing or taking any such reptile or beast ; or
- (d) has in his possession or under his control any such reptile or beast recently killed or taken or the skin of any such reptile or beast recently killed or taken, or the recently taken eggs of any such reptile ; or
- (e) exposes or offers for sale any such reptile or beast or any part of any such reptile or beast ; or
- (f) purchases the skin of any such reptile or beast for the purpose of tanning or preparing such skin for use,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding two hundred and fifty rupees or to imprisonment of either description for a term which may extend to three months or to both such fine and imprisonment :

Provided that no person shall be deemed to have committed an offence under this section in relation to any reptile or beast specified in Schedule IV in respect of any action permitted by virtue of a licence issued by the Director.

(2) A person shall not be guilty of an offence under this section if the act which constitutes such offence has been done in the circumstances and subject to the conditions under which such act is authorized or permitted by any regulation made under section 32.

Offences relating to reptiles and beasts included in Schedules III and IV. [§ 23, 44 of 1964.] [§ 15, 1 of 1970.]

[§ 37, 1 of 1970.]

[§ 23, 44 of 1964.]

(3) Every licence referred to in subsection (1) shall be issued in the prescribed form on payment of the prescribed fee and shall be valid for such period and within such limits, and be subject to such conditions, as the Director may consider necessary or expedient.

[§ 37, 1 of 1970.]

Sections 30 and 31 inapplicable in prescribed cases.

[§ 16, 1 of 1970.]

32. The Minister may by regulation prescribe the circumstances in which and the conditions subject to which any person may be authorized or permitted to do any act which is penalized by section 30 or section 31.

Alteration of Schedules I, II, III and IV. [§ 24, 44 of 1964.]

*34. The Minister may by regulation add to, rescind, vary, or amend any of the provisions of Schedules I, II, III and IV.

Proof of species of bird, beast, or reptile. [§ 17, 1 of 1970.]

35. (1) A certificate purporting to be signed by any competent authority to the effect that any bird, beast, or reptile or part of any bird, beast, or reptile forwarded to him for examination and report is a bird, beast, or reptile or a part of a bird, beast, or reptile of a species for the time being included in Schedule I, Schedule II, Schedule III or Schedule IV, shall, on production in any court of law, be sufficient evidence of the facts stated in such certificate until the contrary is proved.

[§ 25, 44 of 1964.]

[§ 17, 1 of 1970.]

(2) For the purposes of subsection (1), the expression "competent authority" means—

- (a) the Director of Museums;
- (b) the Director, Zoological Gardens.

Temporary prohibition against killing or taking of birds in specified areas. [§ 18, 1 of 1970.]

36. The Minister may by notification in the Gazette declare that for a specified period no person shall shoot, kill, or take any bird of any species in any area outside a National Reserve or a Sanctuary mentioned in the notification; and any person who in any such area and during such specified period shoots, kills, or takes any bird, save on any cultivated land shall be guilty of an offence and shall on conviction be liable to a fine not exceeding twenty-five rupees or to imprisonment of either description for a term which may extend to one month or to both such fine and imprisonment.

37. (1) No person shall import into Sri Lanka any living bird, beast, or reptile of a species which is not indigenous to Sri Lanka, or the eggs of any such bird or reptile, except upon a permit in the prescribed form obtained from the prescribed officer on payment of the prescribed fee.

Prohibition of import of non-indigenous birds, beasts, and reptiles without permits.

(2) This section shall have effect as if it formed part of the Customs Ordinance and the provisions of that Ordinance shall apply accordingly.

(3) In any case of doubt or dispute a certificate purporting to be signed by the Director of Museums to the effect that any bird, beast or reptile belongs to a species which is not indigenous to Sri Lanka or that any species of any bird, beast, or reptile is a species not indigenous to Sri Lanka, or that any egg of any bird or reptile is the egg of a bird or reptile of a species which is not indigenous to Sri Lanka shall for all purposes be final and conclusive as to the facts stated therein.

(4) In this section the expression "bird, beast, or reptile" does not include a domestic animal as defined in section 11.

38. Regulations may be made—

Regulations relating to non-indigenous birds, beasts, and reptiles.

- (a) requiring any person who imports any bird, beast or reptile on a permit issued under section 37 to produce a certificate from an approved authority that such bird, beast, or reptile is free from disease or infection;
- (b) prohibiting any bird, beast, or reptile imported on a permit issued under section 37 from being liberated or released in any part of Sri Lanka, or prescribing any area or areas within which any such bird, beast, or reptile may be liberated or released;
- (c) exempting any specified species of bird, beast, or reptile from the operation of section 37 or of any regulation made under this section.

* Section 33 is repealed by Act No. 1 of 1970.

Penalties for unlawful import or release of non-indigenous birds, beasts, and reptiles.

39. (1) Any person who—

(a) imports into Sri Lanka any bird, beast, or reptile in contravention of the provisions of section 37 or of any regulation made under section 38; or

(b) contravenes any regulation made under section 38,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term which may extend to six months or to both such fine and imprisonment.

(2) Any person who liberates or releases any bird, beast, or reptile which has been imported into Sri Lanka in contravention of the provisions of section 37 shall be guilty of an offence and shall, in addition to any punishment to which he may be liable under subsection (1), be liable on conviction to a fine of five hundred rupees in respect of each bird, beast, or reptile so liberated or released.

[§ 26, 44 of 1964.]

Prohibition of export of birds, beasts, and reptiles without a permit.

40. (1) No person shall export from Sri Lanka—

(a) any bird, beast or reptile, whether dead or alive; or

(b) the eggs, feathers, or plumage of any bird, the horns or skin of any beast, or the eggs or skin of any reptile, or any other part of any bird, beast or reptile,

except upon a permit in the prescribed form obtained from the prescribed officer on payment of the prescribed fee.

[§ 27, 44 of 1964.]

(2) Such permit shall not be issued except for the promotion of scientific knowledge including supplies to museums, zoological gardens and in exchange for supplies to local museums or zoological gardens or for such other purposes as may be prescribed.

[§ 27, 44 of 1964.]

(3) This section shall have effect as if it formed part of the Customs Ordinance, and the provisions of that Ordinance shall apply accordingly.

(4) In this section—

[§ 27, 44 of 1964.]

“bird” or “reptile” does not include any bird or reptile of a species which is not indigenous to Sri Lanka;

“beast” does not include—

(a) any animal the exportation of which is restricted by section 19, or

(b) any domestic animal as defined in section 11, or

(c) any beast of a species which is not indigenous to Sri Lanka.

(5) In any case of doubt or dispute a certificate purporting to be signed by the Director of Museums to the effect that any

[§ 27, 44 of 1964.]

bird, beast, or reptile belongs to a species which is not indigenous to Sri Lanka, or that any species of any bird, beast, or reptile is a species not indigenous to Sri Lanka, or that any part of any bird, beast, or reptile is a part of a bird, beast, or reptile of a species which is not indigenous to Sri Lanka, or that any egg of any bird or reptile is the egg of a bird or reptile of a species which is not indigenous to Sri Lanka shall for all purposes be final and conclusive as to the facts stated therein.

41. Any person who exports from Sri Lanka any bird, beast, or reptile, whether dead or alive, or any part of any bird, beast, or reptile, or any eggs, feathers, plumage, horns or skin in contravention of the provisions of section 40 shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term which may extend to six months or to both such fine and imprisonment.

Penalty for unlawful export of birds, beasts, and reptiles.

PART IV

FLORA

42. (1) No person shall in any area—

Protection of plants included in Schedule V. [§ 28, 44 of 1964.] [§ 19, 1 of 1970.]

(a) remove, uproot or destroy, or cause any damage or injury to, any plant which is for the time being included in Schedule V and —

(i) is the property of any other person; or

(ii) is growing in any public place ;
or

(b) destroy any plant which is for the time being included in Schedule V and is his own property ; or

(c) sell or expose or offer for sale any plant for the time being included in Schedule V,

except upon a permit in the prescribed form obtained from the prescribed officer on payment of the prescribed fee.

(2) If no fee is prescribed for the issue of a permit for the purposes of subsection (1), that permit shall be issued free of charge.

43. No person shall uproot or destroy or cause any damage or injury to any tree (hereinafter called a "protected tree") growing in any public place and included for the time being in Schedule VI :

Provided that nothing herein contained shall be deemed to prohibit or to penalize any act done by or on the orders of any person entrusted by the State or by any local authority with the charge or care of any protected tree if such act is done in order to stimulate the growth or to improve the condition or appearance or to secure the safety or to preserve the existence of any such tree.

44. The Minister may by regulation add to, rescind, vary or amend any of the provisions of Schedule V or Schedule VI :

Provided that no tree shall be so added to the list of trees in Schedule VI unless that tree is growing in a public place and unless in the opinion of the Minister the preservation or protection of that tree is necessary or desirable for scientific or aesthetic purposes or on religious or historical grounds.

45. Regulations may be made—

(a) prohibiting or regulating the exportation from Sri Lanka of any specified plant, whether or not such plant is included for the time being in Schedule V ;

(b) prohibiting or regulating the cultivation of any specified plant ;

(c) prescribing the conditions to be attached to any permit issued under section 42 ;

(d) generally, for the protection and conservation of the wild vegetation, plant life and flora of Sri Lanka.

46. Any person who acts in contravention— Offences under Part IV.

(a) of the provisions of section 42 or of any permit issued to him under that section or of any condition attached to any such permit ; or

(b) of the provisions of section 43 ; or

(c) of any regulation made under section 45,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one hundred rupees or to imprisonment of either description for a term which may extend to one month or to both such fine and imprisonment.

47. Nothing in this Part of this Ordinance shall affect the provisions of— Savings— Part IV.

(a) the Forest Ordinance, or any rules or regulations made thereunder ;

(b) the Water Hyacinth Ordinance ;

(c) the Plant Protection Ordinance, or of any regulation made thereunder ;

(d) the Tea Control Act, or of any regulation made thereunder ;

(e) the Rubber Control Act, or of any regulation made thereunder ;

(f) any other written law relating to the cultivation or to the regulation or the prohibition of the cultivation of any plant.

48. In this part of this Ordinance, unless the context otherwise requires— Interpretation of Part IV.

"plant" means any member of the vegetable kingdom and includes the seed and any part of a plant other than the flower ;

“public place” means any State land or land at the disposal of the State or land belonging to or vested in a local authority and includes any land which is not private property.

PART V

MISCELLANEOUS PROVISIONS

Taxidermists and traders in animals, skins, &c., to be licensed. [§ 32, 44 of 1964.]

49. (1) No person shall carry on or exercise the business or trade of a taxidermist, tanner, curer or trophy-dealer, or any other business or trade involving the purchase or sale of any animal, whether dead or alive, or of any part of any dead animal, except upon a licence in respect of each such business or trade in the prescribed form obtained from the prescribed officer on payment of the prescribed fee.

(2) Every licence issued under subsection (1) shall be subject to the prescribed conditions and if no fee is prescribed for the issue of such a licence, it shall be issued free of charge.

(3) In this section “animal” means an animal as defined in section 11, but does not include a domestic animal as defined in that section.

No gun to be discharged on a prohibited road.

50. (1) The Minister may by notification in the Gazette declare any road in any area outside a National Reserve or a Sanctuary to be a prohibited road for the purposes of this Ordinance.

(2) Any person who discharges any gun on any prohibited road or on any land adjoining any such road and reserved for its extension, protection or benefit, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one hundred rupees or to imprisonment of either description for a term which may extend to one month or to both such fine and imprisonment.

(3) Regulations may be made prescribing the means by which and the manner in which the fact that any road is a prohibited road for the purposes of this Ordinance may be brought to the notice of members of the public who have occasion to use that road or to travel thereon.

51. No person shall shoot at any bird or animal from any position in or on any moving or stationary vehicle of any kind. Prohibition of shooting from vehicles.

52. No person shall use any artificial light for the purpose of enabling or facilitating the destruction of any bird or animal, whether by dazzling the vision of any such bird or animal or otherwise. Prohibition of use of artificial lights.

52A. No person shall shoot at, injure or kill any prescribed animal, reptile or bird within a distance of one hundred yards from a water-hole or place where animals usually go to drink water. Prohibition of shooting, &c., in vicinity of water-holes [§ 33, 44 of 1964.] [§ 20, 1 of 1970.]

53. Except in accordance with regulations, no person shall on any State land or any public thoroughfare outside a National Reserve—

(a) hunt, shoot, kill, or take any animal, reptile, or bird, between sunset and sunrise;

(b) set, lay, or spread any net, pitfall, trap, snare or other instrument for the purpose of killing or taking any animal, reptile, or bird; or Regulation of hunting, shooting, &c., on State land or public thoroughfare outside National Reserves. [§ 34, 44 of 1964.] [§ 21, 1 of 1970.]

(c) construct or use any ambush, or hide on the ground or on a tree for the purpose of shooting or injuring any animal, reptile or bird. [§ 34, 44 of 1964.]

53A. No person shall use any poison, explosive or stupefying substance for the purpose of poisoning, killing or stupefying any animal, reptile or bird. Prohibition of the use of poison, &c., on animals, reptiles or birds. [§ 35, 44 of 1964.]

53B. No person shall have in his possession, sell, expose for sale or transport the flesh of any animal, reptile or bird which has been killed or taken by the use of any poison, explosive, or stupefying substance: Prohibition of the possession, &c., of the flesh of any animal, reptile or bird killed or taken by the use of poison, &c. [§ 35, 44 of 1964.]

Provided that no person shall be convicted under this section if he proves that he did not know and had no reasonable cause to believe that the animal, reptile or bird, whose flesh he is charged with having in his possession, selling, exposing for sale or transporting, had been killed or taken by the use of any poison, explosive, or stupefying substance.

Prohibition of serving as food the flesh of any animal, reptile or bird the killing of which is prohibited.

54. No person shall at any restaurant, hotel, rest-house or eating house, serve or authorize the serving of any food which constitutes or contains the flesh of any animal, reptile or bird the killing of which is at that time prohibited under this Ordinance.

Circumstances in which acts otherwise prohibited may be authorized.

[§ 37, 44 of 1964.]
[§ 37, 1 of 1970.]

55. (1) The Director may by a writing under his hand authorize any person to do any act otherwise prohibited or penalized under this Ordinance or any regulation made thereunder, if in the opinion of the Director such act should be authorized for the protection, preservation or propagation, or for the scientific study or investigation, or for the collection of specimens for a zoo, museum or similar institution, of the fauna and flora of Sri Lanka.

(2) No person authorized under subsection (1) to do any act shall, by reason only of the commission of that act, be guilty of an offence under this Ordinance or any regulation made thereunder.

PART VI

GENERAL

LICENCES AND PERMITS

Refusal and revocation of licences and permits.
[§ 37, 1 of 1970.]

56. (1) The Director or any officer empowered to issue a licence or permit under this Ordinance or any regulation made thereunder may in his discretion—

- (a) insert in any such licence or permit any condition which he may consider necessary or expedient ;
- (b) refuse to issue any such licence or permit ;
- (c) revoke any such licence or permit, by notice in writing to the person to whom such licence or permit was issued.

(2) Any person aggrieved by the refusal or revocation of any permit or licence (other than a licence under section 49) may appeal against such refusal or revocation to the Minister.

(3) Any person aggrieved by the refusal to issue a licence under section 49 or by the revocation of any licence issued under that section may appeal against such refusal or revocation to the Minister.

(4) The decision of the Minister on any appeal preferred under subsection (2) or subsection (3), as the case may be, shall be final and conclusive.

(5) Regulations may be made prescribing the time within which appeals shall be preferred and generally in respect of all matters incidental to or connected with the hearing or disposal of such appeals.

57. (1) No person other than the person named in any licence or permit issued under this Ordinance or any regulation made thereunder shall be entitled under cover of that licence or permit to do any act to authorize which that licence or permit was issued.

Licences and permits not to be transferred.

(2) Any person who transfers to any other person any licence or permit issued to him under this Ordinance or any regulation made thereunder shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one hundred rupees or to imprisonment of either description for a term which may extend to one month or to both such fine and imprisonment.

OFFENCES AND PENALTIES

58. Any person who does any act in contravention of any of the provisions of this Ordinance or of any regulation or of any condition inserted in any licence or permit issued under this Ordinance or under any regulation shall be guilty of an offence punishable, where no other penalty is expressly provided by this Ordinance, with a fine not exceeding three hundred rupees or with imprisonment of either description for a term which may extend to three months or with both such fine and imprisonment.

General penalty.

[§ 38, 44 of 1964.]

58A. Notwithstanding anything in any other provision of this Ordinance, where any person is convicted of the offence of killing, hunting, shooting, injuring or taking, or of having in his possession or under his control, any wild elephant within

Special penalty for offences against elephants.
[§ 22, 1 of 1970.]

a Natural Reserve or Sanctuary, he shall be liable to be punished with a fine not exceeding three thousand rupees, or to imprisonment of either description for a term which may extend to three years, or to both such fine and imprisonment.

Attempts and abetment.

59. Any person who attempts to commit or abets the commission of any offence under this Ordinance or any regulation made thereunder shall himself be guilty of the same offence.

General exceptions to criminal liability.

60. (1) An act otherwise prohibited or penalized under this Ordinance or any regulation made thereunder shall not be an offence if it is done—

[§ 39, 44 of 1964.]

(a) for the purpose of protecting any human being or any domestic animal from any immediate danger or from injury by any wild animal; or

[§ 39, 44 of 1964.]

(b) for the purpose of killing or taking in or in the immediate vicinity of any human dwelling or of the land in which such dwelling is situate any leopard, bear, wild boar, crocodile or poisonous reptile.

(2) In this section the expressions “animal”, “domestic animal” and “wild animal” respectively have the meanings assigned to those expressions in section 11.

[§ 23, 1 of 1970.]

(3) The following provisions shall apply in any case where any wild animal is killed or taken by any person in such circumstances that such killing or taking is not an offence by virtue of the operation of subsection (1):—

(a) such person shall forthwith report such killing or taking to any police officer or grama seva niladhari entitled to officiate in the area within which such killing or taking took place, or to any prescribed officer;

(b) such police officer or grama seva niladhari or prescribed officer, as the case may be, shall, upon the receipt of such report, investigate the circumstances in which such

killing or taking took place and report the result of the investigation to the Director;

(c) such wild animal shall be the property of the State and accordingly such police officer or grama seva niladhari or prescribed officer, as the case may be—

(i) shall, if such wild animal was so taken, take over such wild animal for and on behalf of the State; or

(ii) shall, if such wild animal was so killed, take over the carcase of such wild animal for and on behalf of the State, and shall thereafter sell such carcase by public auction, issue a receipt in respect of such sale to the purchaser, and credit the proceeds of such sale to the Wild Life Preservation Fund.

(4) Any person who fails to report the killing or taking of any wild animal to any police officer or grama seva niladhari or prescribed officer as required by paragraph

[§ 23, 1 of 1970.]

(a) of subsection (3) shall be guilty of an offence and shall on conviction be liable to a fine not exceeding two hundred and fifty rupees or to imprisonment of either description for a period which may extend to three months or to both such fine and imprisonment.

[§ 40, 44 of 1964.]

*62. The Director may at any time compound any offence under this Ordinance; and where a prosecution has been entered against any person for any offence under this Ordinance, the Director may compound such offence at any time before judgment and may withdraw such prosecution.

Power to compound offences.
[§ 37, 1 of 1970.]

63. It shall be lawful for a Magistrate summarily to try any offence under this Ordinance or under any regulation:

Offences to be triable summarily by Magistrates' Courts.

Provided that nothing herein contained shall affect the right of a Primary Court to try any such offence in respect of which jurisdiction is conferred on such court.

* Section 61 is repealed by Act No. 44 of 1964.

Power of
Magistrate's
Court to make
order of
confiscation.
[§ 2, 1 of
1970.]

[§ 24, 1 of
1970.]

Share of fines
to the Wild
Life
Preservation
Fund.
[§ 41, 44 of
1964.]
[§ 25, 1 of
1970.]
[§ 37, 1 of
1970.]

Powers of
arrest and
search.
[§ 42, 44 of
1964.]

[§ 26, 1 of
1970.]

64. (1) Except as is hereinbefore expressly provided in regard to the disposal of any elephant or of the carcase of any elephant or the tusks of any tusker on the conviction of any person for an offence relating to an elephant, any animal or any part of any animal in respect of which any offence has been committed and any gun, vehicle, boat, artificial light, snare, net, trap, or other instrument, contrivance, appliance or thing used in or for the commission of any offence may be confiscated by order of the court before which the offender is convicted and may be disposed of in such manner as the court may direct.

(2) In this section "animal" means an animal as defined in section 11.

65. Where a prosecution under this Ordinance or any other written law is instituted by an officer of the Department of Wild Life Conservation, the court may direct that one-half of any fine recovered in the case shall be paid into the Wild Life Preservation Fund which shall be maintained and operated on by the Director in the prescribed manner.

66. (1) Where a police officer or prescribed officer has reasonable grounds for believing that any person has committed an offence he may, subject to such restrictions as may be prescribed—

(a) require such person to produce for his inspection any animal or bird or the carcase or part of the carcase of any animal or bird in his possession, or any licence, permit or other document issued to him or required to be kept by him under the provisions of this Ordinance;

(b) stop and search any person or any boat, vessel or vehicle and open any package or container found on such person or carried in such boat, vessel or vehicle;

(c) seize any animal or bird or the carcase or part of the carcase of any animal or bird in the possession of any person and appearing to such officer to be the property of the State under the provisions of this Ordinance;

(d) unless he is satisfied that such person will appear and answer any charge preferred against him, arrest and detain such person without warrant and seize anything in his possession which may be produced in evidence of his offence; [§ 26, 1 of 1970.]

(e) seize any boat, vessel, vehicle, gun, cartridge, knife, torch, battery, or any other article or equipment which appears to such officer to have been used in the commission of the offence, or which may be produced in evidence of the offence. [§ 26, 1 of 1970.]

(2) Any person who without reasonable cause fails to produce and hand over anything which a police officer or prescribed officer acting under the provisions of this section may require him to produce or hand over, shall be guilty of an offence.

(3) Any person who— [§ 26, 1 of 1970.]

(a) fails or refuses to stop any boat, vessel or vehicle when called upon to do so by a police officer or prescribed officer, or

(b) does not allow the search of any boat, vessel or vehicle by a police officer or prescribed officer, or

(c) refuses to be searched by, or obstructs or resists, or escapes or attempts to escape from the custody of, a police officer or prescribed officer acting under the provisions of this Ordinance,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term which may extend to six months or to both such fine and imprisonment.

66A. Any officer appointed for the purposes of this Ordinance under section 68— Offences by officers. [§ 27, 1 of 1970.]

(a) who is guilty of prevarication in any judicial trial for an offence under this Ordinance; or

- (b) who wilfully fails in his duty to report any offence under this Ordinance,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one hundred rupees or to imprisonment of either description for a term which may extend to one month or to both such fine and imprisonment.

Power to ascertain name and address of an offender.
[§ 27, I of 1970.]

66B. Where any person is found offending against any part of this Ordinance, it shall be lawful for any prescribed officer to require the person offending to state his name and place of abode, and in case a person so offending after being so required refuses to state his correct name or place of abode or states a name or place of abode which is incorrect, he shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding twenty rupees.

Erection of barriers and search of vehicles, &c., on roads adjoining National Reserve, &c.
[§ 28, I of 1970.]
[§ 37, I of 1970.]

67. (1) For the purpose of preventing the commission of offences against section 8 of this Ordinance on any portion of any road running alongside a Strict Natural Reserve, National Park or Intermediate Zone, Nature Reserve, Jungle Corridor or Sanctuary—

- (a) it shall be lawful for the Director to cause barriers to be placed across each end of that portion of the road, so as to enable vehicles to be stopped and searched thereat as hereinafter provided ; and
- (b) it shall be lawful for a prescribed officer to stop at such barrier any vehicle which is about to enter that portion of the road, and to search the vehicle and any person in the vehicle, for the purpose of ascertaining whether any gun is being carried therein, and in any case where any gun is so found therein, to require the person for the time being in charge of the vehicle to permit such officer or any other person specified by such officer to travel in that vehicle during the whole or any part of the journey to be performed on that portion of the road.

(2) Where the person for the time being in charge of any vehicle which is stopped at any barrier under subsection (1) refuses, upon being required so to do under that subsection, to permit a prescribed officer or any person specified by such officer to travel in the vehicle, it shall be lawful for the prescribed officer to take such steps as may be necessary to prevent the vehicle from proceeding beyond the barrier.

67A. Where any offence under this Ordinance is committed by any person in any part of the territorial waters* of Sri Lanka, the Magistrate's Court having jurisdiction—

Jurisdiction over offences committed at sea.
[§ 29, I of 1970.]

- (a) over the part of the coast nearest to which the offence was committed ; or
- (b) over the place at which the person came ashore after the commission of the offence,

shall have jurisdiction to try the offence.

67B. (1) Notwithstanding anything to the contrary in the First Schedule to the Code of Criminal Procedure Act, every offence under this Ordinance shall be a cognizable offence and a bailable offence within the meaning of that Act.

Offences under the Ordinance to be cognizable and bailable.
[§ 29, I of 1970.]

(2) The Director and every prescribed officer shall have the power to release any person arrested under this Ordinance on bail or on such person executing a bond with or without sureties.

67C. The Director and every prescribed officer shall be deemed to be a peace officer within the meaning of the Code of Criminal Procedure Act for exercising, for the purposes of this Ordinance, any power conferred on peace officers by that Act.

The Director and prescribed officers to be peace officers.
[§ 29, I of 1970.]

67D. (1) The Director and, subject to the provisions of subsection (2), every prescribed officer shall exercise the powers that may be exercised in respect of cognizable offences by an inquirer, or by an officer in charge of a police station, under the provisions of Chapter XI of the Code of Criminal Procedure Act.

Power of Director and prescribed officers to hold inquiries.
[§ 29, I of 1970.]

* See sections 2 and 11 of the Maritime Zones Law.

(2) The powers referred to in subsection (1) shall not be exercised by a prescribed officer in any place which is outside the limits of the area to which he is appointed.

(3) An inquiry under this section shall be held at or in the neighbourhood of the place in which the offence is alleged to have been committed.

Arrests, searches, &c., how to be made. [§ 29, 1 of 1970.]

67E. The provisions of the Code of Criminal Procedure Act relating to arrests, searches, search warrants, the release of persons arrested on bail or on the execution of bonds, the production of persons arrested, and the investigation of offences shall be held to be applicable to all action taken in these respects under this Ordinance.

Ejection from State land. [§ 29, 1 of 1970.]

67F. Where any person convicted of any offence under section 6 or section 7 in respect of any State land continues to be in unlawful or unauthorized possession or occupation of such State land or any portion thereof, the district director of the district or area in which such State land is situated may issue a notice on such person forthwith to vacate the land of which he is in unlawful or unauthorized possession or occupation and if he fails to do so he may be ejected from the land under the procedure prescribed by sections 120 to 127 (both inclusive) of the Land Development Ordinance as if—

- (a) that land were a holding under that Ordinance,
- (b) the notice issued under this section were a notice under section 119 of that Ordinance,
- (c) the reference in section 124* of that Ordinance to the person whose grant has been cancelled were a reference to the person to whom a notice under this section has been issued, and
- (d) the district director of the district or area in which that land is situate were the Government Agent exercising, discharging or performing in respect of a holding

any power, duty or function imposed upon or assigned to the Government Agent under that Ordinance.

APPOINTMENT OF OFFICERS AND ADVISORY COMMITTEE

68. (1) For the purposes of this Ordinance, there may be appointed— Appointment of officers.

- (a) a person by name or by office to be or to act as Director, or as Deputy Director, Wildlife Conservation, [§ 30, 1 of 1970.]
- (b) a person by name or by office to be or to act as district director, Wildlife Conservation, for any specified district or area; [§ 30, 1 of 1970.]
- (c) a person to act as an honorary district director, Wildlife Conservation, for any specified district or area; [§ 43, 44 of 1964.]
- (d) such other officers and servants as may, from time to time, be required. [§ 30, 1 of 1970.]

(2) In the exercise of their powers and in the discharge of their duties under this Ordinance all persons, officers and servants appointed under this section shall be subject to the general direction and control of the Minister.

(3) All persons, officers and servants appointed under this section shall be deemed to be public servants within the meaning of the Penal Code.

69. The Director may with the approval of the Minister delegate to any district director or to any honorary district director in respect of his district or area any power or duty conferred or imposed on the Director by this Ordinance or by any regulation made thereunder. Delegation of powers of Director. [§ 44, 44 of 1964.] [§ 37, 1 of 1970.]

70. (1) The Minister may appoint an advisory committee which shall consist of the Director as chairman and of eleven other persons, for the purpose of advising the Director and making recommendations to the Minister on all matters and questions relating to the fauna and flora of Sri Lanka. Advisory committee. [§ 37, 1 of 1970.]

* Section 124 of the Land Development Ordinance has been repealed by Act No. 16 of 1969.

(2) Meetings of the advisory committee shall be held at least twice in 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.

GENERAL REGULATIONS

General regulations.

71. (1) The Minister may make regulations for the purpose of carrying out or giving effect to the principles and provisions of this Ordinance.

(2) In particular and without prejudice to the generality of the powers conferred by subsection (1), the Minister may make regulations for or in respect of all or any of the following matters :—

[§ 37, 1 of 1970.]

(a) the circumstances in which and the conditions subject to which the Director may exercise the powers conferred on him by section 55 ;

(b) the circumstances in which and the conditions subject to which any licence or permit may be issued free of charge ;

(c) the fee to be paid for any licence or permit issued under this Ordinance or under any regulation, and the mode and manner of payment or recovery of any such fee ;

(d) the prohibition or regulation of the import, manufacture, sale, possession or use of any head-gear so constructed as to be capable of being fitted with any lamp or artificial light or of any lamp constructed so as to be capable of being fitted into any head-gear ;

(e) the period of office of the members of the advisory committee appointed under section 70, the manner in which meetings of that committee shall be convened, the procedure to be followed at such meetings, and the manner in which the recommendations of that committee shall be made ;

(f) the declaration of any period other than that specified in section 72 as a

close season in respect of any particular species of bird or beast either throughout the whole of Sri Lanka or in any specified area ;

(g) the establishment and administration of the “Wildlife Preservation Fund” and the purposes for which that Fund may be employed ; and

(h) all matters for which regulations are required or authorized to be made under this Ordinance, all matters stated or required by this Ordinance to be prescribed, and all other matters incidental to or connected with such matters.

(3) Every regulation made by the Minister shall be brought before Parliament by a motion that such regulation shall be approved. No regulation made by the Minister shall have effect until it has been approved by Parliament. Notification of such approval shall be published in the Gazette.

(4) A regulation made by the Minister when approved by Parliament shall, upon notification of such approval in the Gazette, be as valid and effectual as if it were herein enacted.

INTERPRETATION AND SAVINGS

72. (1) In this Ordinance, unless the context otherwise requires—

“close season” means the period from the thirtieth day of April to the thirty-first day of October in each year, or such other period as may be prescribed in respect of any particular species of bird or beast either throughout the whole of Sri Lanka or in any specified area ;

“cultivated land” includes land used for chena cultivation when a crop is growing on such land ;

“Director” means the person appointed to be or to act as the Director, Wildlife Conservation, for the purposes of this Ordinance, and includes the Deputy Director, Wildlife

	Conservation, appointed for such purposes ;	"prescribed" means prescribed by this Ordinance or by regulation ;
[§ 31, I of 1970.]	"district director" means a district director, Wildlife Conservation, appointed for the purposes of this Ordinance ;	"regulation" means a regulation made by the Minister under this Ordinance ;
	"Intermediate Zone" means an Intermediate Zone declared under section 2 (1) ;	"Sanctuary" means a Sanctuary constituted by Order under section 2 (2) ;
	"gun" has the same meaning as in the Firearms Ordinance ;	"Sri Lanka" includes the territorial waters of Sri Lanka ;
[§ 31, I of 1970.]	"honorary district director" means an honorary district director, Wildlife Conservation, appointed for the purposes of this Ordinance ;	"State land" means all land to which the State is lawfully entitled together with all rights, interests and privileges attached or appertaining thereto ;
[§ 46, 44 of 1964.]	"Jungle Corridor" means a Jungle Corridor for elephants constituted by Order under section 2 (1) ;	"Strict Natural Reserve" means a Strict Natural Reserve constituted by Order under section 2 (1) ;
	"local authority" includes any Municipality, Urban Council, Town Council, or Village Council and includes the inhabitants* of a village area constituted under the Village Councils Ordinance ;	† "territorial waters" means the part of the sea within a distance of three nautical miles from any point of the coast of Sri Lanka measured from the low-water mark of ordinary spring tides. [§ 31, I of 1970.]
	"National Park" means a National Park constituted by Order under section 2 (1) ;	(2) Any reference in this Ordinance or in any regulation or in any other written law to a Schedule of this Ordinance shall be deemed to be a reference to the Schedule for the time being in force.
	"National Reserve" means a National Reserve constituted by Order under section 2 (1) ;	73. Every licence issued by any authority under any written law repealed by Ordinance No. 2 of 1937 for the doing of any act for which a licence is required by this Ordinance shall be valid and continue in force until the expiration of the period for which it was granted. Savings—Licences.
[§ 46, 44 of 1964.]	"Nature Reserve" means a Nature Reserve constituted by Order under section 2 (1) ;	
	"offence" means an offence under this Ordinance or under any regulation ;	
[§ 46, 44 of 1964.]	"open season" means that portion of the year that is not included in the close season ;	74. All such proclamations, notifications and orders issued, and all such regulations and rules made, and all such concessions, permissions and authorizations given, and all such royalties fixed under any written law repealed by Ordinance No. 2 of 1937 as are in force at the date on which this Ordinance comes into operation shall, so far as they relate to matters for which provision may in any manner be made under this Savings—Proclamations, notifications, rules, &c.
	"police officer" includes any grama seva niladhari appointed by a Government Agent to perform police duties ;	

* See Section 3 (now repealed) of Ordinance No. 9 of 1924.

† See also Section 2 and 11 of the Maritime Zones Law.

Ordinance and so far as they are not inconsistent with the provisions of this Ordinance, continue in force unless or until provision in regard to such matters is made in accordance with the provisions of this Ordinance.

Operation of
Fisheries
Ordinance.

75. The provisions of the Fisheries Ordinance shall cease to be in operation

in any National Reserve or Sanctuary as from the date on which such National Reserve or Sanctuary is duly constituted under section 2; but, subject as aforesaid, the provisions of that Ordinance shall continue to be in operation in any area outside a National Reserve or a Sanctuary.

[§ 47, 44 of
1964.]

SCHEDULE I

List of Birds that are not protected

[Section 30.]

<i>English Name</i>	<i>Scientific Name</i>	<i>Sinhalese Name</i>	<i>Tamil Name</i>
Black Crow	<i>Corvus macrorhynchos culminatus</i>	Kaka-Kaputa	Andang Kakam
Ceylon House-Crow	<i>Corvus splendens protegatus</i>	Kaputa, Kolomba Kaka	Oor-Kakam
Ceylon House-Sparrow	<i>Passer domesticus soror</i>	Ge Kurulla	Adaikalan-Kuruvi, Oor Kuruvi
Spotted Munia	<i>Uroloncha punctulata lineoventer</i>	Wee-Kurulla	Nellu Kuruvi
White-Backed Munia	<i>Uroloncha striata striata</i>	Wee-Kurulla	Nellu-Kuruvi, Tinayan, Tinai-Kuruvi
Ceylon Hill-Munia	<i>Uroloncha kelaarti kelaarti</i>	Wee-Kurulla	Nellu-Kuruvi
The Striate Weaver-Bird	<i>Ploceus manyar flaviceps</i>	Wadu-Kurulla	Thukanan-Kuruvi, Manjal-Kuruvi Manjal
Baya or Common Weaver-Bird	<i>Ploceus philippinus philippinus</i>	Wadu-Kurulla or Goiyan Kurulla	Thukanan-Kuruvi, Kuruvi
Rose Ringed Parakeet	<i>Psittacula krameri manillensis</i>	Ranna-Girawa	Payatham-Kili
Purple Coot or Gallinule	<i>Porphyrio poliocephalus poliocephalus</i>	Kittala, Kitta	Kanan-Koli
The Indian Darter or Snake Bird	<i>Anhinga melanogaster</i>	Hanseya	Pambu-Tara, Nedung-Kilathy, Nedung Kaluththan
Pigmy Cormorant	<i>Phalacrocorax niger</i>	Diya-Kawa	Nir-Kakam
Indian Cormorant	<i>Phalacrocorax niger</i>	Diya-Kawa	Nir-Kakam
Indian Shag	<i>Phalacrocorax fuscicollis</i>	Diya-Kawa	Nir-Kakam

[§ 32, I of 1970.]

[§ 32, I of 1970.]

[§ 47, 44 of
1964.]

SCHEDULE II

List of Birds that are not protected during the Open Season only and may be shot without a Licence.

[Section 30.]

	<i>English Name</i>	<i>Scientific Name</i>	<i>Sinhalese Name</i>	<i>Tamil Name</i>
[§ 33, 1 of 1970.]	Ceylon Spotted Dove	<i>Streptopelia chinensis ceylonensis</i>	Alu-Kobeyiya	Mani-Pura, Umi-Pura, Pulli-Pura
	Indian Ring Dove	<i>Streptopelia decaocto decaocto</i>	Maha-Kobeyiya	Kalli-Pura, Sambal-Pura
	Blue Rock-Pigeon	<i>Columba livia intermedia</i>	Gal-Pareyiya	Mada-Pura, Malai Pura
	Bronze-Winged or Emerald Dove	<i>Chalcophaps indica robinsoni</i>	Nil-Kobeyiya	Thamil-Pura
	Ceylon Orange Breasted Green Pigeon	<i>Treron bicincta leggei</i>	Bata-Goya, Sipaduwa	Pachchai-Pura
	Pompadour, Green Pigeon	<i>Treron pompadora pompadora</i>	Bata-Goya, Sipaduwa	Pachchai-Pura
	Ceylon Southern Green Pigeon	<i>Treron phoenicoptera phillipsi</i>	Bata-Goya, Sipaduwa	Pachchai-Pura
	Common or Fantail-Snipe	<i>Capella gallinago gallinago</i>	Keswatuwa	Ullan Kuruvi
	Pintail Snipe	<i>Capella stenura</i>	Keswatuwa	Ullan-Kuruvi
	Wood Cock	<i>Scolopax rusticola</i>	Maha-Keswatuwa	Periya Ullan-Kuruvi
	Jack Snipe	<i>Lumnocryptes minimus</i>	(No Sinhalese or Tamil Names)	
	Wood Sandpiper	<i>Pringa gareola</i>	Sili-Watuwa	Kottan
	Curlew	<i>Numenius arquata orientalis</i>	Maha Watuwa	Kumandy or Mussal-Kinandu or Muyal Kinandy
[§ 33, 1 of 1970.]	Whimbrel	<i>Numenius phaeopus phaeopus</i>	Maha Watuwa	Kuthirai-Malai-Kottan
	Eastern Golden Plover	<i>Pluvialis dominica fulva</i>	Oleyiya, Rana-Watuwa	Kottan
	Grey Plover	<i>Squatarola squatarola</i>	Oleyiya	Kottan
	Painted Snipe	<i>Rostratula benghalensis benghalensis</i>	Ulu-Keswatuwa, Raja-Watuwa	Ullan-Kuruvi
	Watercock	<i>Gallicrex cinerea</i>	Wil-Kukkula	Tannir-Kili
	Ceylon Bustard-Quail	<i>Turnix suscitator leggei</i>	Bola-Watuwa	Kadai
	Blue-Breasted Quail	<i>Excalfactoria chinensis chinensis</i>	Pandara-Watuwa, Wil-Watuwa	Kadai
	Cotton Teal	<i>Nettapus coromandelianus coromandelianus</i>	Mal-Seruwa	Raja-Tara or Kuluppai
	Pintail	<i>Anas acuta acuta</i>	Seruwa	Tara
	Garganey	<i>Anas querquedula</i>	Seruwa	Tara
	European Teal	<i>Anas crecca crecca</i>	Seruwa	Tara
	Whistling Teal	<i>Dendrocygna Javanica</i>	Seruwa, Thumba- Seruwa	Chilli-Tara

[§ 47, 44 of
1964.]

SCHEDULE III

*List of Wild Animals (including Reptiles but not including Birds) absolutely protected during both the
Close and Open Seasons*

[Section 31.]

<i>English Name</i>	<i>Scientific Name</i>	<i>Sinhalese Name</i>	<i>Tamil Name</i>
Bear Monkey or Hill Wanduroo	<i>Pithecus vetulus monticola</i>	Maha Wandura	Periya Mundi
Grey Flying-Squirrel	<i>Petaurista philippensis lanka</i>	Hambawa or Hangu	Paravai-Anil
Small Ceylon Flying-Squirrel	<i>Pteromys layardi</i>	Hambawa	Paravai-Anil
Highland Giant-Squirrel	<i>Ratufa macroura macroura</i>	Dandolena	Malai-Anil
Hog Deer	<i>Hylephus porcinus</i>	Wil-Muwa or Gona-Muwa	Manu
Water-Lizard or Water-Monitor	<i>Varanus salvator</i>	Kabara Goya	Kabaragoyen
Dugong	<i>Dugong dugon</i>	Mudu Ura	Kadal Pandi
Fishing Cat	<i>Felis viverrina</i>	Koladiviya or Handundiviya	Koddipuli
Rusty Spotted cat	<i>Felis rubiginosa</i>	Wal Balala or Koladiviya	Kaddupoonai
Delft Island Pony	<i>Equus caballus</i>		
Indian Pangolin	<i>Manis crassicaudata</i>	Kebellaya	Alangu
Leathery Turtle	<i>Demochelys coriacea</i>	Dhara Kesbawa	Dhoni Amai
Slender Loris	<i>Loris tardigradus</i>	Una Hapuluwa	Thevangu
Kelaart's Long clawed Shrew	<i>Feroculus feroculus</i>	Hik miya or Kunu miya	Mungi 'elli
Ceylon Pigmy Shrew	<i>Suncus fellowes-gordoni</i>	Podi Hik miya or podi Kunu miya	Mungi 'elli Kutti or Sinna Mungi 'elli
Ceylon Jungle Shrew	<i>Suncus zeylanicus</i>	Kunu miya	Mungi 'elli
Long-tailed Shrew	<i>Crocidura miya</i>	Hik miya or Kunu miya	Mungi 'elli
Horsfield's Shrew	<i>Crocidura horsfieldi</i>	Podi Hik miya or Podi Kunu miya	Sinna Mungi 'elli Mungi 'elli Kutti
Pearson's Shrew	<i>Solisorex pearsoni</i>	Hik miya or Kunu miya	Mungi 'elli
Ceylon Fruit Bat	<i>Rousettus seminudus</i>	Wawla	Vava
Ceylon Tube-nosed Bat	<i>Murina eilcenae</i>	Podi Wawula	Sinna vava

[§ 34, I of
1970.]

XVII/321

[S 47, 44 of
1964.]

SCHEDULE III (contd.)

*List of Wild Animals (including Reptiles but not including Birds) absolutely protected during both the
Close and Open Seasons*

[Section 31.]

<i>English Name</i>	<i>Scientific Name</i>	<i>Sinhalese Name</i>	<i>Tamil Name</i>
Malpas's Bat	Kerivoula malpasi	Podi Wawula	Sinna vava
Ceylon Gerbil or Antelope-ra	Tatera ceylonica	Wel miya	Vel-elli
Ceylon Mole-rat	Gunomys gracilis	Wel miya	Kurumb 'elli or Viel 'elli or Nell 'elli or Agillarne
Ceylon Spiny-mouse	Leggadilla fernandoni	Miya or Podi miya	Sund 'elli
Highland Coelomys or Spiny-rat	Coelomys mayori	Miya or Kelle miya	Yelli or Kart 'elli
Bicoloured Coelomys or Spiny Rat	Coelomys bicolor	Miya or Kelle miya	Yelli or Kart 'elli
Nillu Rat	Rattus montanus	Miya or Kelle miya	Yelli or Kart 'elli
Ceylon Palm-civet	Paradoxurus zeylonensis	Kalawedda	Marum Nai
Olive-backed logger-head	Lepidochelys olivacea	Mada kasbawa or Eramadhu Kasbava or Parai kasbava or Batu kasbava	Kanga matteyan amai or Sith amai
Giant brown-red logger-head	Caretta caretta gigas	Olugedi kasbava or Kannadi kasbava	Perunthale amai or Nai amai
Hawksbill turtle or Caret or Shell turtle	Eretmochelys imbricata	Pothu kasbava or Leli kasbawa or Pana kasbava	Alunk amai
Green turtle	Chelonia mydas	Gal kasbava or Mas kasbava or Vali kasbava	Perr amai or Pal amai
Starred tortoise or star tortoise	Testudo (Geochelone) elegans	Mayvara ibba or Hoomam ibba or Vairan ibba or Thāruka ibba	Katu amai or Katu petti amai

[§ 47, 44 of
1964.]

SCHEDULE IV

List of Animals which shall not be shot except on a Special Licence at any Time of the Year

[Section 31.]

<i>English Name</i>	<i>Scientific Name</i>	<i>Sinhalese Name</i>	<i>Tamil Name</i>	<i>No. allowed</i>
Leopard	<i>Panthera pardus fusca</i>	Kotiya (General term) Diviya (Male) Dividena (Female)	} Pulee	1
Ceylon Bear	<i>Melursus Ursinus</i>	Walaha		1
Ceylon Swamp-Crocodile	<i>Crocodylus palustris kimbula</i>	Hale Kimbula, Ala Kimbula		1
Marsh-Crocodile or Estuarine or Sea- Crocodile	<i>Crocodulus porosus Schneider</i>	Pitta Gatteya, Gatte Kimbula, Gorekaya	Chem-mookan Muthalai	1

[§ 35, 1 of
1970.]

SCHEDULE V

PROTECTED PLANTS

[Section 42.]

<i>English Name</i>	<i>Botanical Name</i>	<i>Sinhalese Name</i>	<i>Tamil Name</i>
Wesak Orchid or May Orchid	Dendrobium Macarthiae Thw.	Wesak mala	—
Baobab Tree or Judas bag, or Monkeybread-Tree	Adansonia digitata L.	—	Papparappuli or Perukka or Anaippuli
Fox-tail Orchid or Batticaloa Orchid	Rhynchostyles retusa Bl.	—	—
Spagnum moss Bogmoss	Sphagnum zeylanicum Mitt.	—	—
Primrose Orchid	Dendrobium Heterocarpum	—	—
Daffodil Orchid	Ipsa Speciosa	—	—
Anuradhapura Orchid	Vanda Tessellata (Roxburghii)	Rat-tha or Rassana	—
—	Vanda Spathulata	—	—
—	Cleistanthus collinus	Madara	Wudacha-maram

[§ 47, 44 of
1964.]

SCHEDULE VI

PROTECTED TREES

[Section 43.]

1. The tree popularly known as Knox's Tree, situated at Muthur in Koddigar pattu in the administrative district of Trincomalee :—

English Name	.. Tamarind
Botanical Name	.. Tamarindus indica
Sinhalese Name	.. Siyambala
Tamil Name	.. Puli

*3. The tree popularly known as Orubendi-Siyambalagaha near about the 5 ½ mile-post from the Elahera anicut on the Elahera Canal situated in the Matale District of the Central Province :—

English Name	.. Tamarind
Botanical Name	.. Tamarindus indica
Sinhalese Name	.. Siyambala
Tamil Name	.. Puli

* Item 2 omitted by Act No. 1 of 1970.