

THE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS ORDINANCE, 1962  
(EAST PAKISTAN ORDINANCE NO. XV OF 1962).

[19th May, 1962]

An Ordinance for the constitution of the Bangladesh Society for the Prevention of Cruelty to Animals. 1

WHEREAS it is expedient to constitute a 2[ \* \* \*] Society for the Prevention of Cruelty to Animals, for the purpose and in the manner hereinafter appearing;

NOW, THEREFORE, in pursuance of the Presidential Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the Governor is pleased to make and promulgate the following Ordinance, namely:-

Short title, extent and commencement 1. (1) This Ordinance may be called the 3[ \* \* \*] Society for the Prevention of Cruelty to Animals Ordinance, 1962.

(2) It extends to the whole of Bangladesh.

(3) It shall come into force at once.

Definitions

2. In this Ordinance, unless there is anything repugnant in the subject or context,-

(a) "animal" means any domestic or captured animal except poultry;

(b) "Branch Society" means the Branch of the 4[ \* \* \*] Society for the Prevention of Cruelty to Animals for a district constituted under section 11; and

(c) "Society" means the 5[ \* \* \*] Society for the Prevention of Cruelty to Animals constituted under section 3.

Constitution of the 6[ \* \* \*] Society for the Prevention of Cruelty to Animals

3. (1) There shall be constituted a Society to be known as "the 7[ \* \* \*] Society for the Prevention of Cruelty to animals".

(2) 8[ The President of the People's Republic of Bangladesh] shall be the Chairman of the Society and the first members thereof shall be appointed either by name or by office by the Government.

(3) The headquarters of the Society shall be at Dacca.

Incorporation

4. The first members of the Society and all persons who may hereafter become members thereof so long as they continue so to be, shall be a body corporate under the name of the 9[ \* \* \*] Society for the Prevention of Cruelty to Animals, and the said body shall have perpetual succession and a common seal with powers to hold and acquire property, movable or immovable, and shall sue and be sued by the said name.

Functions of the Society 5. Subject to the provisions of this Ordinance, and of the Bengal Cruelty to Animals Act, 1920, the functions of the Society shall include,

- (a) the exercise of such powers as may be delegated to it under section 30 of the Bengal Cruelty to Animals Act, 1920;
- (b) the arrangement for the proper treatment and care of animals;
- (c) the education of the general public in the proper care, treatment and destruction of animals; and
- (d) the exercise of such powers and performance of such duties as may be prescribed by rules.

#### Appointment of Executive Committee

6. (1) Until such time as an Executive Committee of the Society is constituted in accordance with the regulations made under section 7, the Executive Committee shall consist of such persons from among the members of the Society as may be nominated by the Government.

(2) The Government may nominate as office-bearers of the first Executive Committee such persons as it may select for the purpose:

Provided that the Government may reconstitute the first Executive Committee as and when it is deemed necessary.

#### Power to make regulation

7. The first Executive Committee shall, subject to the previous approval of the Government, make regulations for the management, control and procedure of the Society. Such regulations may, among other matters, provide for the following, namely:-

- (a) the conditions of membership of the Society;
- (b) the constitution and functions of the Executive Committee; and
- (c) the regulation of the procedure generally of the Society and the Executive Committee.

#### 10[ Repealed]

8. [Dissolution and transfer of property of the E.P. Society for the Prevention of Cruelty to Animals, Dacca.- Repealed by section 3 and the Second Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973).]

Fund 9. (1) There shall be a fund to be known as the Society Fund which shall vest in and be administered by the Society.

(2) The Society Fund shall consist of--

- (a) grants and subsidies from Government, Local Authorities and other bodies;
- (b) donations from the public;
- (c) subscriptions from members; and
- (d) contributions from Branch Societies.

Purposes to which the funds of the society may be applied

10. The funds of the Society may be applied to all or any of the following purposes, namely:-

- (a) the acquisition of lands, buildings and other properties necessary for the proper working of the Society;
- (b) the payment of establishment charges, contingent charges and all other working charges of the Society;
- (c) the meeting of all expenses that are necessary for the proper discharge of the functions of the Society under this Ordinance; and
- (d) the making of grants to the Branch Societies when considered necessary.

Branch Society

11. (1) There shall be a branch of the 11[ \* \* \*] Society for the Prevention of Cruelty to Animals for every district 12[ \* \* \*].

(2) The Deputy Commissioner of the district shall be the Chairman of the Branch Society, and the first members thereof shall be appointed either by name or by office by the Deputy Commissioner.

13[ Repealed]

12. [Distribution of income among Branch Societies.- Repealed by section 3 and the Second Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973).]

Decision of Executive Committee as to purposes final

13. The Executive Committee of the Society shall have authority to determine in all cases what matters properly fall within the scope of section 10, and its decision in all such matters shall be binding on all the Branch Societies.

#### Receipt and use of gifts

14. The Executive Committee of the Society may also receive and hold gifts of whatever description either for the general purposes of the Society, and 14[ \* \* \*] on receipt of such gifts, may, subject to such conditions as may be prescribed, apply the same to such purposes either directly or through the Branch Societies.

#### Powers of Branch Societies

15. Subject to the provisions of this Ordinance and the rules made thereunder, and subject to the regulations of the Society made under section 7, each Branch Society shall have all powers to regulate its own procedure and constitution, to receive gifts and donations, and to expend all monies received by it for its purposes:

Provided that 10 per cent of cash donations received by any Branch Society for any of the objects set out in section 10 shall be placed at the disposal of the Executive Committee of the Society to be applied by it for the general purposes of the Society.

#### Audit

16. (1) The accounts of the Society and of the Branch Societies shall be audited annually by an Auditor to be appointed by the Executive Committee of the Society with the prior approval of the Government.

(2) The Society and the Branch Societies shall produce all accounts, books and connected documents and furnish such other information and explanations as the Auditor or any officer authorised by him in this behalf may require at the time of the audit.

(3) A statement of accounts audited by the Auditor referred to in sub section (1), and containing such particulars as may be prescribed by rules shall be furnished to the Government as soon as possible after the end of every financial year.

(4) The Government shall examine the Auditor's Report and take such action thereon as it may deem fit.

#### Power to make rules

17. (1) The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:-

(a) the powers and duties to be exercised and performed by the Society;

(b) the distribution of the income of the Society amongst the Branch Societies;

(c) the application of gifts received by the Executive Committee of the Society;

(d) the audit of the accounts of the Society and of the Branch Societies; and

(e) the extent and control of the supervision of the Branch Societies by the Society.

1 Throughout this Ordinance, the words “Bangladesh” and “Government” were substituted for the words “East Pakistan” and “Provincial Government” respectively by section 3 and the Second Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

2 The words “East Pakistan” were omitted by Article 5 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President's Order No. 48 of 1972)

3 The words “East Pakistan” were omitted by Article 6 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President's Order No. 48 of 1972)

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7 The words “East Pakistan” were omitted by Article 6 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President's Order No. 48 of 1972)

8 The words “The President of the People's Republic of Bangladesh ” were substituted for the words “The Governor of East Pakistan” by section 3 and the Second Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

9 The words “East Pakistan” were omitted by Article 6 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President's Order No. 48 of 1972)

10 The words “East Pakistan” were omitted by Article 5 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President's Order No. 48 of 1972)

11 The words “East Pakistan” were omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

12 The words “in East Pakistan” were omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)

13 The words “East Pakistan” were omitted by Article 6 of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President's Order No. 48 of 1972)

14 The words, figures and commas “or for any particular purpose for which the corpus or income of the property vested in it under section 8 may be applied under the provisions of section 10, and,” were omitted by section 3 and the Second Schedule of the Bangladesh Laws (Revision And Declaration) Act, 1973 (Act No. VIII of 1973)