



The Punjab Gazette

PUBLISHED BY AUTHORITY

LAHORE SATURDAY OCTOBER 29, 2016

PROVINCIAL ASSEMBLY OF THE PUNJAB

NOTIFICATION

October 29, 2016

No.PAP/Legis-2(129)/2016/1494. The Punjab Poultry Production Bill 2016, having been passed by the Provincial Assembly of the Punjab on October 19, 2016, and assented to by the Governor of the Punjab on October 28, 2016, is hereby published as an Act of the Provincial Assembly of the Punjab.

THE PUNJAB POULTRY PRODUCTION ACT 2016

ACT XLVII OF 2016

[First published, after having received the assent of the Governor of the Punjab, in the Gazette of the Punjab (Extraordinary) dated October 29, 2016.]

An
Act

to regulate poultry production activities in the Punjab.

It is necessary to register poultry premises, to improve quality of poultry products and to ensure biosecurity measures in poultry operations; and, to deal with ancillary matters.

Be it enacted by Provincial Assembly of the Punjab as follows:

1. **Short title, extent and commencement.**— (1) This Act may be cited as the Punjab Poultry Production Act 2016.
 - (2) It extends to whole of the Punjab.
 - (3) It shall come into force at once.
2. **Definitions.**— In this Act:
 - (a) "Act" means the Punjab Poultry Production Act 2016;
 - (b) "Code" means the Code of Criminal Procedure, 1898 (V of 1898);
 - (c) "Government" means Government of the Punjab;
 - (d) "Inspector" means an Inspector appointed under section 16 of the Act;
 - (e) "owner" means an owner, lessee or manager of a poultry premises;
 - (f) "poultry" includes the species such as chicken, turkey, quail, pheasant, duck, pigeon, peafowl, ostrich or any other bird as the Government may, by notification, specify;

- (g) "poultry disease" means a poultry disease defined as such by the World Organization for Animal Health (Office International des Epizooties);
- (h) "poultry farm" means the premises for keeping and growing more than five hundred poultry birds but shall not include a poultry sale point exclusively used for sale of poultry;
- (i) "poultry operation" means activities relating to poultry farm, poultry hatcheries, poultry processing plant, or poultry disease diagnostics;
- (j) "poultry premises" includes a site of a poultry farm, poultry hatcheries, poultry processing plant, or poultry disease diagnostic facility;
- (k) "poultry production" means any activity related to poultry farming, poultry hatcheries, poultry processing plant or poultry disease diagnostics at a poultry premises;
- (l) "poultry waste" means solid or liquid waste generated during poultry operation and such other waste as the Government may, by notification, specify;
- (m) "prescribed" means prescribed by rules or regulations made or framed under the Act;
- (n) "proximity" means the distance amongst various types of poultry farms;
- (o) "Registration Authority" means Director, Poultry Research Institute, Punjab or such other officer as the Government may, by notification, specify;
- (p) "regulations" means the regulations framed under the Act;
- (q) "rules" means the rules made under the Act;
- (r) "Tribunal" means Tribunal constituted under section 38 of the Punjab Livestock Breeding Act 2014 (XIII of 2014); and
- (s) "veterinarian" means a veterinary graduate registered with the Pakistan Veterinary Medical Council.

3. Registration of poultry premises.— (1) The Registration Authority may, on the recommendation of the Registration Committee and subject to the prescribed conditions, register a poultry premises under this Act.

(2) Subject to subsection (3), a person shall not establish a poultry premises or carry out poultry operation at a poultry premises unless he holds a valid certificate of registration issued under the Act.

(3) The owner of an existing poultry premises shall, within six months of the commencement of the Act, apply to the Registration Committee for registration under the Act.

(4) The decision on an application for registration of a poultry premises shall be taken within thirty days from the receipt of the application for the purpose and the decision shall be conveyed to the applicant.

4. Registration Committee.— (1) The Government may, by notification, constitute one or more Registration Committee to perform functions under the Act and assign an area to a Committee.

(2) The Registration Committee shall receive and scrutinize an application for registration of poultry premises and send its recommendations to the Registration Authority.

5. Prohibition on registration.—The Registration Committee shall not recommend registration of any poultry premises to the Registration Authority unless it is satisfied that the criteria prescribed by or under the Act has been fulfilled and all the information necessary for the scrutiny of the application has been provided.

6. Registration or renewal fee.— (1) The Government shall prescribe the fee for registration and renewal of registration of a poultry premises or a class of poultry premises.

(2) The applicant shall, in the prescribed manner, deposit the fee for registration or renewal of registration and attach with the application the original receipt of payment.

7. Suspension of registration.— Where an owner, who holds a registration under the Act, is found to have contravened any of the provisions of the Act, rules or

regulations, the Registration Authority may, after affording him or his authorized representative an opportunity of hearing, suspend the registration by an order stating the specific reasons of suspension along with any remedial step or steps to be taken by the owner.

8. Cancellation of registration.— If the owner fails to take remedial steps as required in the order of suspension of registration issued under section 7 within fourteen days of the communication of the order, the Registration Authority may cancel the registration certificate after issuing a show-cause notice and hearing the owner or his representative.

9. Re-registration.— A person, whose registration has been cancelled under section 8, may apply for new registration of the poultry premises in the prescribed manner.

10. Appellate Board.— (1) The Government shall, by notification, constitute an Appellate Board consisting of the chairperson and two other members for each district or for more than one district.

(2) The owner aggrieved by a decision of the Registration Authority may, within thirty days from the date of communication of the decision, prefer an appeal to the Appellate Board and the Board shall pass appropriate orders within forty five days.

11. Appeal against decision of the Appellate Board.— Any person aggrieved by the decision of the Appellate Board may, within thirty days from the date of communication of the decision, prefer an appeal to Lahore High Court.

12. Requirements for establishment of poultry farm.— (1) A person shall not establish a new poultry farm within an aerial distance of less than five hundred meters from human population settlements of not less than fifty cluster houses and shall maintain the following proximity:

1	Broiler to broiler poultry farm	1 KM
2	Broiler to layer poultry farm	1 KM
3	Broiler farm to parent stock poultry farm	2 KM
4	Broiler farm to grandparent stock poultry farm	3 KM
5	Layer to layer poultry farm	1 KM
6	Layer to broiler poultry farm	1 KM
7	Layer farm to parent stock poultry farm	2 KM
8	Layer farm to grandparent stock farm	3 KM
9	Parent stock farm to parent stock poultry farm	2 KM
10	Parent stock farm to grandparent stock poultry farm	3 KM
11	Grandparent stock farm to grandparent stock poultry farm	3 KM

(2) The Registration Authority shall not register a new poultry farm unless it meets all the conditions prescribed by or under the Act.

13. Bio-security measures.— The owner shall adopt the prescribed measures for poultry production and poultry biosecurity.

14. Fencing and poultry waste.— The owner shall ensure that:

- (a) the poultry premises is surrounded by a fence or wall as may be prescribed; and
- (b) poultry waste is disposed of in the prescribed manner.

15. Report of poultry disease.— (1) The owner shall immediately inform the Inspector or Registration Authority about any outbreak or suspected outbreak of a poultry disease at the poultry premises.

(2) An Inspector shall, as soon as possible, report to the Registration Authority of any outbreak of a poultry disease at any poultry premises.

16. Inspectors.— The Government or any authority designated by the Government may, by notification, appoint a veterinarian as Inspector for purposes of the Act.

17. Functions of Inspector.— (1) An Inspector may, on his own or on the directions of the Registration Authority or the Government, enter and inspect any poultry premises for ascertaining that the provisions of the Act, rules or regulations have been implemented and submit a report of inspection to the Registration Authority.

(2) The Inspector shall use or cause to be used electronic devices to generate electronic evidence of any of his actions while performing functions under the Act.

(3) The Inspector shall act as complainant in a private complaint filed in the Tribunal under the Act.

18. Offence and punishments.— (1) A person who carries on poultry operation at a poultry premises without valid registration under the Act or who violates the minimum proximity of poultry premises shall be liable to be punished with imprisonment for a term which may extend to six months but which shall not be less than seven days and with fine which may extend to five hundred thousand rupees but which shall not be less than one hundred thousand rupees.

(2) A person who contravenes any provision of section 14 shall be liable to be punished with imprisonment for a term which may extend to three months but which shall not be less than three days or with fine which may extend to five hundred thousand rupees but which shall not be less than one hundred thousand rupees.

19. The Tribunal.— (1) An offence punishable under the Act shall be exclusively triable by the Tribunal in accordance with the provisions of the Code as if the Tribunal were a court of sessions.

(2) The Tribunal may try an offence under the Act in a summary manner in terms of Chapter XXII of the Code but notwithstanding anything contained in the Code, the Tribunal may impose punishment of imprisonment for a term not exceeding three months or fine not exceeding one hundred thousand rupees or both.

20. Cognizance of offence.— The Tribunal shall not take cognizance of an offence punishable under the Act except on the complaint of the Inspector or Registration Authority.

21. Appeal.— Any person aggrieved by a final order of the Tribunal may, within thirty days from the date of communication of the sentence, prefer an appeal to Lahore High Court.

22. Indemnity.— A suit, prosecution or other legal proceeding shall not lie against the Registration Authority, Registration Committee or an Inspector for anything done or intended to be done in good faith under the Act.

23. Act to have overriding effect.— The provisions of the Act shall have effect notwithstanding anything to the contrary contained in any other law.

24. Power to make rules.— The Government may, by notification, make rules for carrying out purposes of the Act.

25. Power to frame regulations.— (1) Subject to the Act and the rules, the Registration Authority may, by notification, frame regulations for the matters not provided in the rules and for which provision is necessary for carrying out the purposes of the Act.

(2) The Government may, by notification in the official Gazette, repeal or amend the regulations framed by the Registration Authority.

Rai Mumtaz Hussain Babar
Secretary