

CHAPTER 553

QUARANTINE AND PREVENTION OF DISEASES

Ordinances AN ORDINANCE TO MAKE PROVISION FOR PREVENTING THE INTRODUCTION INTO
 Nos. 3 of 1897, SRI LANKA OF THE PLAGUE AND ALL CONTAGIOUS OR INFECTIOUS DISEASES
 7 of 1917, AND FOR PREVENTING THE SPREAD OF SUCH DISEASES IN AND OUTSIDE SRI
 14 of 1919, LANKA.
 14 of 1920,
 13 of 1936,
 11 of 1939,
 5 of 1941,
 38 of 1943,
Act
 No. 12 of 1952.

[9th February, 1897.]

- Short title. **1.** This Ordinance may be cited as the Quarantine and Prevention of Diseases Ordinance.
- Regulations. **2.** The Minister may, from time to time, make, and when made revoke or vary, such regulations as may seem necessary or expedient for the purpose of preventing the introduction into Sri Lanka of any disease, and also preventing the spread of any disease in and outside Sri Lanka.
- Matters in respect of which regulations may be made. **3.** (1) The regulations made under section 2 may provide amongst other things—
- (a) for placing aircraft, vessels and boats arriving at any port or place in Sri Lanka in quarantine, for the manner of disinfecting the same, and for the imposing and prescribing the method of recovery of any charges, which may be incurred by Government in carrying out such operations;
 - (b) for placing persons or goods coming or brought in such aircraft, vessels or boats in quarantine, for the manner of disinfecting or fumigating such goods, for the imposition of fees or charges for carrying out such operations and for the method of recovering such fees or charges;
 - (c) for prohibiting or regulating the landing of persons or goods from aircraft, vessels or boats either absolutely or conditionally;
 - (d) for establishing and maintaining quarantine stations, and for regulating the management of the same, and for the charging, imposing, and recovering of fees for the use and occupation of such stations, and for the cost of maintenance of the persons occupying the same;
 - (e) for inspecting aircraft, vessels and boats leaving or arriving at any port or place in Sri Lanka, and for the detention thereof or of any person intending to sail therein, as may be necessary;
 - (f) for inspecting persons travelling by railway or otherwise, and for segregating in hospitals or otherwise persons diseased ;
 - (g) for isolating all cases of disease and diseased persons;
 - (h) for closing wells, pits, cesspits, and cesspools;
 - (i) for prescribing the mode of burial or cremation of any person dying of disease;
 - (j) for regulating the number of persons to be allowed to inhabit any dwelling place;

Cap.553] **QUARANTINE AND PREVENTION OF DISEASES**

- (k) for the removal from infected localities to places of observation or other places of persons found in such localities;
 - (l) for the removal of diseased persons to hospitals or other places for medical treatment, and for their detention until they can be discharged with safety to the public;
 - (m) for the cleansing and disinfecting of drains, sewers, cesspits, and of houses, buildings, rooms, and other places which have been occupied by any diseased person, or which are otherwise in an insanitary condition, and, if expedient, for destroying the same, with or without compensation as may be deemed expedient;
 - (n) for the disinfecting and, if expedient, destroying, with or without compensation as may be deemed expedient, goods which have been in contact with any diseased person, or which may be deemed capable of spreading disease;
 - (o) for prescribing and regulating the seizure, detention, and destruction or disposal of any goods landed or otherwise dealt with in contravention of any regulation made under this Ordinance, and for prescribing and regulating the liability of the owner, or consignor or consignee or importer of the goods, for the expenses connected with the seizure, detention, and destruction or disposal thereof;
 - (p) for prescribing the reporting to such officer or officers as may be named in the regulations, by medical practitioners and persons professing to treat diseases, of cases of disease treated by them;
 - (q) for prescribing the reporting by the householder or occupier of any house or premises to such officer or officers as may be named in the regulations of any case of serious illness occurring in any such house or premises; and the visiting and inspecting of such case by such officer or officers;
 - (r) for the appointment of inspectors and other officers to carry out the provisions of this Ordinance or of any regulations made thereunder, and for regulating their duties and conduct, and for investing them with all powers necessary for the due execution of their duties;
 - (s) for prescribing the publication of any regulations made under this Ordinance, and for prescribing and regulating the form and mode of service or delivery of notices and other documents.
- (2) Provided always that nothing in this section contained shall in any way restrict or be construed to restrict the generality of the powers conferred on the Minister by section 2, but such powers shall extend to all matters, whether similar or not to those in this section mentioned, as to which it may be expedient to make regulations for the better carrying into effect of the objects of this Ordinance.

***4.** (1) If any person, without lawful authority or excuse (proof whereof shall lie on him), contravenes any regulation made under this Ordinance, or does or omits to do anything which under the provisions of this Ordinance or of any regulations made thereunder he ought not to do or omit, or if he obstructs or impedes or assists in obstructing or impeding any inspector or other officer appointed under this Ordinance, or any police officer in the execution of any provision of this Ordinance or of any regulation made thereunder, he shall be guilty of an offence against this Ordinance.

(2) Every prosecution for an offence against this Ordinance may be instituted in the Magistrate's Court* of the division in which the offence was committed, and such

* Primary Court has exclusive jurisdiction under section 33 of the Judicature Act read with Gazette Extraordinary No. 43/4 of 1979-07-02.

QUARANTINE AND PREVENTION OF DISEASES [Cap.553]

court may impose the full penalties herein prescribed, anything in the Code of Criminal Procedure Act or in any other enactment to the contrary notwithstanding.

Punishment.

5. (1) If any person is guilty of an offence against this Ordinance, he shall be liable on conviction before a Magistrate* to imprisonment of either description for a term not exceeding six months or to a fine not exceeding one thousand rupees, or to both.

(2) Nothing in this section contained shall affect the liability of any person to any punishment or penalty to which he is liable under any enactment other than this Ordinance, but so that a person shall not be punished twice for the same offence.

Duties of inspectors and police officers.

6. (1) When a person is seen or found committing or is reasonably suspected of being engaged in committing an offence against this Ordinance, any inspector or other officer appointed under this Ordinance or any police officer may without warrant stop and detain him, and if his name and address are not known may without warrant apprehend him.

(2) If any person obstructs or impedes an inspector or other officer appointed under this Ordinance, or any police officer in the execution of any provision of this Ordinance or of any regulation made thereunder, or assists in any such obstructing or impeding, he may be apprehended by such inspector or other officer or police officer without warrant.

(3) A person apprehended under this section shall be taken with all practicable speed before a Magistrate or a Judge of a Primary Court.

(4) Nothing in this section shall take away or abridge any power or authority that a police officer would have had if this section had not been enacted.

Presumption.

7. Where the person in charge of a diseased person is charged with an offence against this Ordinance relative to such disease, he shall be presumed to have known of the existence of such disease in such person, unless and until he shows to the satisfaction of the Magistrate or Judge of a

Primary Court before whom he is charged that he had not such knowledge, and could not with reasonable diligence have obtained such knowledge.

8. Inspectors and other officers appointed under this Ordinance shall be deemed public servants within the meaning of the Penal Code.

Officers to be public servants.

9. (1) Whenever any person shall have been landed at any port or place in Sri Lanka for the purpose of performing quarantine, or for medical treatment, or on the ground that such person is alleged to be of unsound mind, the aircraft or vessel from which such person shall have been landed shall not be entitled to receive a clearance until sufficient security to the satisfaction of the principal officer of customs shall have been given by the pilot, master, agent, or consignee of such aircraft or vessel to the principal officer of customs for the repayment to the Government of all expenses which may be incurred by the Government in respect of such person, and also the necessary passage money of such person to the place of his original destination, or at the option of the Principal Collector of Customs to the place of his original departure, unless arrangements shall be made to the satisfaction of the Principal Collector of Customs for his conveyance to such place of destination or departure.

Security for expenses of certain persons landed from aircraft or vessel.

(2) The Principal Collector of Customs shall be entitled to require the pilot, master or agent of any aircraft or vessel from which any such person shall have been landed, or the pilot, master or agent of any other aircraft or vessel belonging to the same line or company as such aircraft or vessel, upon its being certified by the Director of Health Services that the person in question is in a sufficient stage of recovery for travelling, to receive and keep such person on board the aircraft or vessel in question for the purpose of being conveyed to the place of his original destination, or to the place of his original departure, as the case may be, and may refuse a clearance to such aircraft or vessel until his requirement is complied with.

* Primary Court has exclusive jurisdiction under section 33 of the Judicature Act read with Uazette Extraordinary No. 43/4 of 1979-07-02.

Cap. 553]

QUARANTINE AND PREVENTION OF DISEASES

Removal of person refusing to leave Sri Lanka by accommodation provided under section 9.	10. Where any person for whose departure from Sri Lanka arrangements have been made under section 9 refuses to leave Sri Lanka or to board the aircraft or vessel on which a passage has been provided for him, it shall be lawful for a police officer specially authorized in writing by the Inspector-General of Police to arrest such person and to conduct him in custody aboard such aircraft or vessel.	13. In this Ordinance, and any regulations made thereunder, unless the context otherwise requires— " aircraft" includes all balloons, whether fixed or free, kites, gliders, airships, airplanes, and other flying machines; " disease " shall mean any disease of a contagious, infectious, or epidemic nature; " diseased" shall mean infected or suspected of being infected with disease; " goods" shall mean goods, wares and merchandise, furniture, packets, packages, baggage, wearing apparel, books, letters, or any other article whatsoever; and shall include animals.
Execution of regulations may be delegated to local authority.	11. The Minister may delegate the enforcement and execution of any regulation made under this Ordinance to any Municipal or local authority subject to such restrictions as the Minister may, from time to time, think fit to impose.	
Regulations to be published.	12. All regulations made under this Ordinance shall be published in the Gazette, and shall from the date of such publication have the same force as if they had been enacted in this Ordinance.	