

# Animal Disease Act, 2005

(Act No. 5 of 2005)

[February 28, 2005]

## Laws made to make provision for the spread and control of animal diseases and related matters.

As it is expedient and necessary to provide for the spread and control of animal diseases and related matters;

It is hereby enacted as follows: -

### **Short title and introduction**

1. (1) This Act shall be called the Pursuit Act, 2005.  
(2) The Government shall, by notification in the official Gazette, determine the date, it shall be effective.

### **Definition**

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

(a) "prescribed" means prescribed by rules;

(B) "Registration" means any registration given under section 18;

(C) "animal" shall include all kinds of animals, namely: -

(i) all mammals except humans;

(Ii) birds;

(Iii) reptiles;

(IV) other aquatic animals other than fisheries; And

(v) any other animal declared by the Government in the official Gazette notification;

(D) "animal products" means any item collected or manufactured from part of the animal or animal body, animal or animal, blood, bone, marrow, milk or dairy products, eggs, fats, animal products, semen , Embryos, veins, skin, skin, pulse, and government, by notification in the official gazette, any other part of the prescribed animal or animal products will also be included therein;

(E) "disease" means any infectious or contagious disease mentioned in the schedule, and for the purpose of this Act, by the Government, by notification in the official gazette, any other disease declared;

(F) "animal body" means the body of any animal or any part thereof and its flesh, bones (complete, fragmented or crushed), skin, hair, hair, feather, horn, razor, blood, or any other part thereof. ;

(G) "Criminal Procedure" means the Code of Criminal Procedure, 1898 (Act V of 1898);

(H) "Veterinary officer" means any officer working under the Department of Animal Resources, who is registered in Section 2 (g) of the Bangladesh Veterinary Practitioner Ordinance, 1982 (Ord. XXX of 1982), registered Veterinary Practitioner;

(I) "Director General" means Director General of Animal Resources Department;

(J) "Infected area" means the area declared under Section 5 of this Act;

(K) "Schedule" means the schedule of this Act;

(L) "Rule" means the rules made under this Act; And

(d) "diseased" means any disease affected.

**Provide information about animal diseases**

3. (1) If the field worker of every animal owner, occupier, caretaker, regulator or an animal, or in any other way, has a reasonable reason to believe that if any animal is affected by any disease, the animal warden The owner, occupier, caretaker, regulator, physician or field worker, immediately after the Director General or his empowered Vetary Inform the woman officer in writing about animal diseases.

(2) Upon receipt of information about any disease of animals under sub-section (1), the Director General or his authorized Veterinary Officer, from the infected animal and its place to be kept in the examination and examination, if it is confirmed that the disease and the infected place The action must be taken, so that, in the prescribed manner, the necessary arrangements for the disease and the infected place Will rahana.

**Separation of diseased animals**

4. If any animal owner, occupier, caretaker or regulator is to ensure that such animal has become diseased, then he shall take steps to keep such animal separately from other animals; And as far as possible, the animals that are not infected, will not be able to come in contact with the infected animal or near it, will take appropriate action.

**Announcement of the infected area**

5. (1) If the Director General is satisfied that there is a possibility of spreading of disease in any area, or the possibility of spreading that disease, then he may declare that area as an infected area by notification in the official gazette.

(2) In the mandated notification under sub-section (1), information of the following subjects and other information as may be prescribed by the Director General shall be specific, namely: -

(a) the limits of the area of the infected area;

(B) the period of declaration of the infected area;

(C) Details of spreading diseases in the infected areas;

(D) the description of animals that may be infected; And

(e) arrangements taken by the owners, occupiers, caretakers, regulators, veterinary officers or any other authority.

(3) According to sub-section (1), if an area is declared as an infected area, it will generally be effective for more than three months of publication in the official Gazette:

Provided that, for any reason, it is not possible to preclude or exacerbate the disease in that time If, then, the Director General, by the previous sanction of the government, by notification in the official gazette, may increase that time not more than three months Ena.

(4) If any area is declared as an area under sub-section (1), it shall be taken to promote its publicity for the public knowledge of the area.

**Restrictions on the transfer of animals and animal products in the infected areas**

6. (1) In

the area of the infected areas declared under section 5- (a) where a person may transfer any animal, living or dead, or animal products, animal parts, or other related animal related products, or the ownership of such person, in a place outside of that area. Or any animal under the supervision or control, or any person transmitting an animal from any place outside the infected area, or any other person, Acalu not be examined:

Provided that, these restrictions shall not apply in the following cases, namely: -

(i) the need for animal rearing, bringing rites;

(ii) bringing animal animals to the cattle farm; And

(i) bringing animal to any other area specified by the Director General or the authorized Veterinary Officer from him;

(B) Any animal, milk, egg or any other product produced from that animal, which has been diagnosed with diseased or diseased or diseased animals, can not be purchased and sold;

(C) Any material used as animal waste, animal feed or animal housing, restriction may be imposed on transferring to those areas.

(2) Notwithstanding anything contained in sub-section (1), any material used by the railway or any other type of transport approved by the Government in such sub-section, such as animal, animal products, fodder, animal waste, or animal residue Through the area of the infected area, it can be transported on the terms prescribed by the Director General

Provided that if such animal, or any other material is unloaded in any area of transport through the railway or any other vehicle, then for the purpose of sub-section (1), it may be relocated from that area. No

**Immunotherapy vaccines in the infected areas**

7. (1) If the area under section 5 is declared as an area under which an area is declared as an infected area, the Director General shall take measures to provide vaccination to all types of animals or animals of that area, if it is possible or possible to control them with preventive vaccination.

(2) If any action is taken for the vaccination vaccination under sub-section (1), the owner, occupier, caretaker or regulator of the concerned animal shall be obliged to provide necessary assistance and all facilities to implement such vaccination program.

**Germination, etc.**

8. (1) For the purpose of disinfection of any sediment, installation, vehicle, animal feeding farm, animal breeding farm, pothole, cage, any other place or premises or container of food or container in which the infected animal was kept or preserved as per the order of the Director General. May direct its owner, occupier, caretaker or regulator; And the owner, occupier, caretaker or regulator shall be compelled to take necessary action as per this direction.

(2) If any order is issued under sub-section (1), for any animal, establishment, vehicle, animal husbandry, animal breeding farm, khayar, cage, any other place or premises or container of animal feed or sterilizing the container, according to the order. The veterinary officer may give proper instructions to not reuse it until it is uninfected.

**Animal test**

9. (1) If a veterinary officer has reasonable grounds to believe that any animal has been infected with any disease, then he may take any test which is considered necessary in the prescribed manner.

(2) Blood, milk, excretion or any other substance can be collected from any diseased animal for examination under sub-section (1).

(3) For carrying out the purpose of examination under sub-section (1), the Veterinary Officer may issue such order that -

(a) any animal shall be present in the place and time indicated by it; And

(b) such animal shall not be transferred from such place without his permission.

(4) In case of any test or test under this section, the owner, occupier, caretaker or regulator of the concerned animal shall be bound to provide necessary facilities and assistance.

**Postmortem test**

10. (1) The Veterinary Officer may conduct postmortem examination of the body of the suspected suspect of death in the prescribed manner, in the prescribed manner, and, if applicable, in case of any part of the dead animal, it may be collected for laboratory examination.

(2) For the purpose of postmortem examination, a veterinary officer may take orders for the removal of the body of an animal and take other necessary measures.

**Removal of**

11. (1) The arrangements for removing such dead bodies in the destruction or

**animal deaths  
due to diseases**

any other manner may be taken by the burning of a beast, suspected of having died due to the disease and by burning it under fire or under fire in a fire, under six feet of soil including its skin.

(2) For any purpose other than the purpose of section 10, a person may not be able to extract or reproduce the body of any animal, beating it under soil under sub-section (1) or removing any other animal.

(3) A person may not order for throwing or throwing a place where such a straw, grass, waste or other substance, which has been exposed to the body of an infected animal or such diseased animal, may cause the public health or animal health risk.

**Prohibition of  
prohibition of  
marketing of  
infected animals**

12. No animal shall be marketed in such areas without the permission of a veterinary officer empowered in this behalf, or the product produced from that animal, declared in section 5 under this section.

**Inspecting the  
farm engaged in  
feeding the eggs**

13. (1) In order to ensure that the eggs carry poulromat or any other inundated bacteria before feeding poultry chickens for commercial purposes, a specially empowered veterinary officer in this regard may visit the poultry farm engaged in egg-laying work.

(2) For the purpose of sub-section (1), the veterinary officer may check eggs or poultry chickens.

(3) If an egg or poultry is found in the poulters or other diseases of any other disease during examination under sub-section (2), then the eggs or poultry can be destroyed in the manner prescribed by rules or in the manner indicated by the director general in the absence of those rules.

**Compulsory  
separation and  
treatment of  
animals in the  
infected area**

14. (1) If a veterinary officer is properly inquired, if any animal is infected with infectious or infected disease, then he may order the owner, occupation, caretaker or regulator of that concerned animal, in writing, in the following order, such as: -

(a) the interests of any particular place, or to remove it in the manner prescribed by the officer Yeah separation take necessary measures; And

(b) healing it.

(2) If an order is made by a veterinary officer under sub-section (1), the owner, occupier, caretaker or regulator of all animals shall obey the said order:

Provided that in the case where there is no owner, occupier, caretaker or regulator of that animal or its owner is unaware or the owner can not be identified without any unintentional delay, or the orders of the Veterinary Officer can not be reached to the owner or the owner, occupier, During the period specified by the caretaker or regulator veterinary officer

(3) According to sub-section (2), the owner, occupier or caretaker of the seized animal, or the empowered representative from him, is subject to

proprietary proof, if such animal is requested to return it, then the owner, occupier, caretaker or regulator or his All the money spent in the possession of that animal till the time of return of that animal to his possession Lay it in his favor refund may be granted:

Provided that, the animal owner, occupier, supervisor or regulator or his empowered representative to the animal back to the time of the Veterinary Officer of the animal about him, considers appropriate to be considered in any order may be.

(4) If the owner, occupier, caretaker or regulator or empowered agent from the seized animal under sub-section (2), does not apply for the return of such animal according to the provisions of sub-section (3), and if he is to the veterinary officer It appears that the animal that has been seized due to the disease has no possibility of any other animal being infected with that disease. The officer shall take measures to send the animal to a designated place empowered from him, and within 30 (thirty) days of the sending, the owner, occupier, caretaker or regulator or empowered representative of that animal, if he does not apply for the return of such animal, If that veterinary officer considers that animal as appropriate, Ojaniya may take action.

(5) Notwithstanding anything contained in the other provisions of this section, if the Veterinary Officer certifies in writing that after the proper examination of any animal, that the animal has been infected with any disease and it is not possible to be discharged by providing such animal treatment services, He may, in the prescribed manner, destroy, destroy or otherwise dispose of that animal.

**Restrictions on Market, Fairs etc in the infected areas**

15. No person, organization or organization shall entertain or organize, organize or organize animals in any of the infected areas for any purpose, without any prior written consent of the Veterinary Officers, animals or animals, animals or other animals, or encourages anyone to do so.

**Registration for livestock, animal products, etc.**

16. (1) Subject to the provisions of sub-section (2), a person for commercial purposes other than registration-

(a) does not provide services, management or treatment of veterinary hospitals in any place or premises;

(B) do not establish and manage cattle farms, poultry farms;

(C) shall not establish and operate animal products and processing plants;

(D) Do not collect and process sperm for the purpose of breeding; And

(e) The donor, cow or goat or any other animal shall not observe the purpose of breeding bulls, buffaloes or other animals for breeding and for the production and replacement of the embryo.

(2) No registration shall be required in the following cases, namely: -

(A) to establish and manage processing plant of any animal hospital, cattle farm, poultry farm or animal products established or operated by the government;

(B) collecting and processing sperm for the purpose of breeding by the government, giving a bull or a goat or other animal for the purpose of breeding, sending bulls or other animals, embryo production and replacing the embryo; And

(c) Poultry farms, fisheries and pamphlets maintained and managed for family use and for the purpose of reproduction of such number of bulls, send or any other animal.

**Inspection  
before  
registration, etc.**

17. Before giving any registration under section 18, the Director General or his empowered Veterinary Officer may obtain inspection or other information from the applicant regarding the location of the hospital, cattle farm, poultry farm and animal products processing plant.

**Registration,  
etc.**

18. (1) For the purpose of performing the functions referred to in section 16, the Director General or from him, from this, the Veterinary Officer empowered by him, shall give the prescribed registration certificate.

(2) For obtaining the registration certificate, each application shall be submitted to the authorized Veterinary Officer under sub-section (1), in accordance with the prescribed procedure, conditions and fees.

(3) The application submitted under sub-section (2) shall be considered in accordance with the rules made under this Act or the rules made thereunder, the decision of the Director General or the empowered Veterinary Officer in his decision to take such decision shall be considered in other matters, Namely: -

(a) whether there is necessary financial support for the operation of the functions mentioned in the application;

(B) The functions mentioned in the application are consistent with the main objectives of performing the functions mentioned in section 16; And

(c) if the registration is made, it will be consistent with public health protection and conservation of environment.

(4) The registration certificate issued under this section shall be specified in the time of renewal.

(5) Every registration certificate given under this section shall be renewable and the fee for the renewal shall be payable to the applicant.

(6) The Director General or the empowered Veterinary Officer from him-

(a) within 60 (sixty) days of submission of application under sub-section (2), it shall decide whether to grant or reject it; And

(i) within 15 (fifteen) days of granting it, will give the registration certificate according to that decision;

(II) within 7 (seven) days of the non-receipt of the notice, the applicant shall inform the applicant in writing; And

(b) if it is not possible to take a decision within 60 (sixty) days, the matter of

delay will be notified to the applicant as soon as possible, and in the next 30 (thirty) days after that time, the decision will be taken.

**Save copy of registration certificates**

19. Copy of each registration certificate issued under section 18 shall be preserved.

**Registration cancellation, etc.**

20. (1) Notwithstanding anything contained in the other provisions of this Ordinance, the Director General or the empowered Veterinary Officer from his office may cancel any registration, if for reasonable reason, he thinks that the recipient of the registration-

(a) breach of any provision of this Act or rules made thereunder Did; And

(b) has been punished for any offense under this Act.

(2) No registration under sub-section (1) shall be repealed without giving the applicant an opportunity to show the reasons for not less than 15 (fifteen) days.

(3) If a registered holder is aggrieved by any order given under sub-section (1), within 30 (thirty) days from the date of receipt of the order, if the order is made-

(a) a veterinary officer has been given, then to the Director General ; And

(B) If it is given by the Director General, then the Government may appeal to it.

(4) The decision shall be made within 60 (sixty) days from the time of filing an appeal under sub-section (3).

(5) The decision of the appellate authority referred to in sub-section (4) shall be final.

(6) If the registration under this section is canceled, then the recipient may not apply to any court or authority demanding compensation for the loss, if there is any loss due to such cancellation.

**Registration for existing cattle farms, poultry farms etc.**

21. During the enforcement of this Act, in respect of existing animal hospitals, cattle farms, poultry farms or animal products processing factories, cows or buffalo bulls, sending or other animals and for donation of cattle, goats or other animals for the production and replacement of the embryo. In the 6 (six) months of the commencement of the law, the registration shall be obtained according to the provisions of this Act.

**Offense by Company, etc.**

22. If any offense under this Act is committed by any company, then every directive, manager, secretary, partner, officer and employee of the company shall be deemed to have committed such offense, unless he can prove that the offense is unknown to him. Has been committed or tried so hard to stop the crime.

**Explanation- In this section-**

- (a) "company" means any commercial organization, partnership business, association, association and organization; And
- (b) "commercial" means a partner or member of the board of directors, in the case of a commercial organization.

**Criminal Justice and Justice** 23. (1) No court shall entertain any suit under this Act without the written complaint of the Veterinary Officer.

(2) The offenses under this Act will be judged by the First Class Magistrate or, as the case may be, Metropolitan Magistrate.

**Criminal imprudence and bailability** 24 Offenses under this Act shall be non-cognizable and bailable.

**Bar** 25. If a person contravenes any provision of this Act, or rules made thereunder or accordingly, fails to perform the duty or to fulfill the order and direction, then he shall be punished with imprisonment for a term which may extend to two years or fine not less than 10 (ten) thousand taka, or Both types will be penalized.

**Appeal** 26. Notwithstanding anything contained in the Code of Criminal Procedure, any order or order passed by the first class magistrate or, as the case may be, by Metropolitan Magistrate, may be appealed in the relevant sessions court of jurisdiction.

**Application of Criminal Procedure** 27 In connection with the investigation, trial, appeal and other related matters of the crime under this Act, the provisions of the Criminal Procedure shall apply to those who are not inconsistent with the provisions of this Act.

**Impunity** 28 Civil or criminal proceedings or any other legal proceeding can not be taken against them if there is a possibility of a person being harmed or harmed by any act done by the general director, or any officer or employee or any other person subordinate under this Act or the rules.

**Accessibility, etc.** 29 Any veterinary officer empowered by the Director General or from him, subject to the provisions of this Act and rules made thereunder, at reasonable time, with the necessary assistance in consideration of any farm, animal shelter, land, building or production of animal products, any other Shall be entitled to enter the place or the vehicle, namely: -

- (a) it is vested under this Act or the rules Performance;
- (B) Examination of diseased animals;

- (C) animal testing that has been infected by the infected animal;
- (D) Examine the products produced from animals;
- (E) Examples of infected animals used in animals, hay, grass etc.; And
- (f) performing any other duties given by the Government from time to time.

**Power** 30. The Director General may delegate any power or responsibility of him under this Act, if necessary, by a general or special order, to any other officer of the Veterinary Officer or Animal Resources Directorate.

**Power to make rules** 31. In order to fulfill the purpose of this Act, the government may, by notification in the official Gazette, make rules.

**Publication of English translated texts** 32. After the commencement of this Act, the Government shall, by notification in the official Gazette, publish a reliable translation of this law in English, which shall be called the Authorized English Text of this Act:

Provided that in the case of conflict between this law and the English text This law will prevail.

**Repeat and custody** 33. (1) With the introduction of this Act- (a) The Glanders and Farcy Act, 1899 (Act XIII of 1899); And (b) The Diseases of Animals Act (Ben. Act VI of 1944), shall be repealed.

(2) Notwithstanding such repeal, if any proceeding or proceeding is pending before any law abolished before the commencement of this Act, such proceeding or proceeding shall be disposed of in accordance with the provisions of the relevant Act, such that it has not been enacted.