Statutory Instrument No. 33 of 2016

LOCAL GOVERNMENT ACT
(Cap. 40:01)

CENTRAL DISTRICT COUNCIL (LIVESTOCK CONTROL) (AMENDMENT) BYE-LAWS, 2016

(Published on 18th March, 2016)

ARRANGEMENT OF BYE-LAWS

BYE-LAW

1. Citation
2. Amendment of Bye-law 2 of Cap. 40:01 (Sub. Leg.)
3. Insertion of Bye-law 3A
4. Amendment of Bye-law 6 of the Bye-laws
5. Amendment of Bye-law 7 of the Bye-laws
6. Insertion of Bye-law 8A
7. Insertion of Bye-law 8B
8. Amendment of Bye-law 10 of the Bye-laws
9. Amendment of Schedule to the Bye-laws

SCHEDULE

IN EXERCISE of the powers conferred by section 50 (1) of the Local Government Act, and with the approval of the Minister of Local Government and Rural Development, the Central District Council hereby makes the following Bye-laws —

Citation

1. These Bye-Laws may be cited as the Central District Council (Livestock Control) (Amendment) Bye-Laws, 2016.

Amendment of Bye-law 2 of Cap. 40:01 (Sub. Leg.)

2. The Bye-Laws are amended in bye-law 2, by substituting for the definition of "poultry" the following new definition —

""poultry" means any fowl, turkey, goose, duck, chicken, peacock, pigeon or other domestic or captive bird under human control.".

Insertion of Bye-law 3A

3. The Bye-Laws are amended by inserting immediately after bye-law 3, the following new bye-law —

"Power to detain stray poultry

3A. An authorised officer may seize and detain in any Council chicken run or enclosure, any poultry found astray or at large in a village.".

Amendment of Bye-law 6 of the Bye-laws

4. The Bye-Laws are amended by substituting for bye-law 6, the following new bye-law —

"Bees and poultry

6. A person shall not keep any bees or poultry so as to disturb the comfort of the inhabitants of the village area.".

Amendment of Bye-law 7 of the Bye-laws

5. The Bye-Laws are amended by substituting for bye-law 7, the following new bye-law —

"Establishment of livestock kraal, chicken run or enclosure

7. The Council may by resolution establish a livestock kraal, chicken run or enclosure for the purposes of these Bye-Laws.".

Insertion of Bye-law 8A

6. The Bye-Laws are amended by inserting immediately after bye-law 8, the following new bye-law —

"Claiming of 8A (1) poultry

A person entitled to take possession of any poultry placed in a chicken run or enclosure established in accordance with these Bye-Laws may, within seven days of being notified in writing by the Council, claim such poultry on payment of a fee set out in the Schedule.

(2) Any poultry placed in a chicken run or enclosure that remains uncollected under subbye-law (1) may be sold by the Council by public auction.

(3) Any person who removes or attempts to remove any poultry detained under this bye-law without payment of the prescribed fee commits an offence.".

Insertion of Bye-law 8B

7. The Bye-Laws are amended by inserting immediately after bye-law 8A, the following new bye-law —

"Records to be kept

8B (1) An authorised officer shall keep a record of death, injury and cause of death or injury of animals in his or her care.

(2) Where an authorised officer fails to keep a record in accordance with subbye-law (1), or there is falsity in the material aspect of the record, it shall be *prima facie* proof that the death or injury of the animal was due to the fault of the authorised officer.".

Amendment of Bye-law 10 of the Bye-Laws

8. The Bye-Laws are amended by substituting for bye-law 10, the following new bye-law —

"Penalties

10. Any person who contravenes the provisions of these Bye-Laws commits an offence and is liable —

(*a*) to a fine not exceeding P 2000, or in default of payment thereof, to imprisonment for a term not exceeding six months, or to both; and

(*b*) on a second or subsequent conviction to a fine not exceeding P 5000, or in default of payment thereof, to imprisonment for a term not exceeding two years, or to both.".

Amendment of Schedule to the Bye-laws

9. The Bye-Laws are amended by substituting for the Schedule the following new Schedule —

"SCHEDULE
(*bye-laws 8 and 8A*)

(*a*)	Sheep, goats and pigs	P20 per head per day
(*b*)	Cattle, donkeys, mules and horses	P30 per head per day
(*c*)	Poultry	P10 per head per day
(*d*)	Other animals	P5 per head per day.".

MADE this 26th day of February, 2016.

Council Secretary,
Central District Council.

APPROVED this 2nd day of March, 2016.

SLUMBER TSOGWANE,
Minister of Local Government
and Rural Development.