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ORDINANCE, 1999**

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LAWS OF SARAWAK

Chapter 32

VETERINARY PUBLIC HEALTH ORDINANCE, 1999

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LAWS OF SARAWAK
Chapter 32
VETERINARY PUBLIC HEALTH
ORDINANCE, 1999

An Ordinance to consolidate the laws on animal health and welfare and to promote veterinary public health in Sarawak and matters incidental thereto or connected therewith.

[1st June, 2000]
*(Swk. L.N. 21/2000)

Enacted by the Legislature of Sarawak—

PART I
PRELIMINARY

Short title and commencement

1. This Ordinance may be cited as the Veterinary Public Health Ordinance, 1999, and shall come into force on such date as the Minister may, by notification in the **Gazette*, appoint.

Interpretation

2. In this Ordinance—

“abattoir” means any premises for the slaughtering of any animal, the meat whereof is intended for sale or for public consumption, and includes any place where animals are confined for inspection by the State Veterinary Authority pending slaughter;

“aircraft” includes any kind of craft which may be used for the conveyance of animals or fish or birds or their products by air;

“animal” includes cattle, buffalo, *selembu*, sheep, goat, horse, swine, dog, cat and any four-footed beast kept in captivity or under control, of any age or sex; and also includes a bird and livestock;

“animal product” means any product and by-products derived from animals, carcasses, and includes egg, milk, semen and embryo;

“animal quarantine station” means a quarantine station established under section 98;

“authorized person” means any person authorized, generally or specially by the State Veterinary Authority to discharge any of the duties or functions under this Ordinance, and includes any person to whom the said Authority has delegated functions or duties under section 6;

“bird” includes chicken, duck, geese, turkey, ostrich, quail, guinea fowl, pigeon and any other avian species of any age or sex and any products of a bird;

“building” includes any house, hut, barn, shed, stable or enclosure, whether roofed or not, used for sheltering or confining any animal or fish or bird and any pen, cage, pond, tank or any structure connected with the foregoing;

“carcass” means the dead body of an animal or fish or bird, and includes any part thereof and the meat, bones (whether whole, broken or ground), offal, hide, skin, wool, hair, feathers, hoof, horns or other part of an animal or fish or bird, separately or otherwise, or any portion thereof;

“cat” means any domesticated cat or wild cat of any breed or sex, belonging to the feline family;

“cattle” means bull, cow, oxen, heifer, calf, and includes buffalo of any age or sex;

“contact” means any animal or fish, bird or its products which has by contact direct or indirect with a diseased animal or fish, bird or its products been exposed to the risk of contracting a disease, or contamination with any substance which is injurious to health;

“contamination” means the presence of any substance or foreign matter of a physical, chemical or biological nature, which is poisonous or harmful to animals, has impact on animal health, reduces the quality of animal or fish products, and causes animal or fish products to be unfit for human consumption;

“culture” means any live organisms in any form derived from animals or fish maintained in any kind of media or containers;

“dog” means any domesticated dog or wild dog of any breed or sex, belonging to the canine family;

“examine”, with its grammatical variations and cognate expressions, includes the carrying out of any tests and post-mortem examination, after exhumation of the carcass (if necessary);

“export” means to take or cause to be taken out of the State of Sarawak by whatever means, any animal, fish or bird or their products or feeds or part thereof;

“feed” means any organic or mineral substances or mixtures of such substances used for the feeding of animal or fish, and includes fishmeal;

“fish” means any aquatic animal from cultivated, reared or produced in riverine waters, and includes all species of finfish, *crustacea*, *mollusca*, aquatic mammals, or their eggs, spawn, fry, fingerling, spat or young;

“fishmeal” means products from aquatic animals (fish, mollusc, crustaceans) intended for use in feeding animal or fish or for manufacturing of feed;

“Government” means the Government of the State of Sarawak;

“hormone” means a chemical substance derived from an endocrine gland or through synthetic processing that has a specific effect on tissues;

“horse” includes any mare, stallion, gelding, pony, foal, colt, filly, ass or mule;

“import” means the bringing into the State of Sarawak by whatever means, any animal, fish or bird or their products or feeds or part thereof either for use, consumption or application in the State or for the purpose of transferring or transporting the same to another State or country;

“infected” means infected with any disease;

“licence” includes a permit or any authorization issued or given pursuant to any authority conferred by this Ordinance;

“litter” means any substance used for bedding or otherwise for or about animals or birds;

“livestock” means any class of livestock which includes pig, cattle, buffalo, goat, sheep, horse, pony, deer, rabbit, poultry, duck, quail, turkey, ostrich, pigeon, guinea fowl, crocodile, snake and any other animals, birds, reptiles and amphibians which are domesticated for human consumption;

“livestock farm” means any place, premises or establishment used for the production, breeding, keeping, rearing or treatment of livestock;

“manufacture” means the production or mixing of animal, fish or bird or their products or feeds, veterinary biologics and cultures of animal, fish or birds origin;

“mark” means any form of branding, stamping or printing used as means of identification or certification;

“master” means the captain of any ship or aircraft, and includes any person for the time being in charge of any ship (other than a pilot) or aircraft;

“meat inspector” means any person authorized by the State Veterinary Authority for examination, testing, inspection and certification of meat for human consumption;

“Minister” means the Minister in the Government having responsibilities for agriculture and food industries;

“officer of customs” has the same meaning as assigned to it in the Customs Act 1967 [*Act 235*];

“Ordinance” includes any rules made thereunder;

“owner”—

(a) in relation to land, includes the registered proprietor thereof and any person in occupation of land by virtue of any licence issued or rights recognized under the Land Code [*Cap. 81 (1958 Ed.)*]; and

(b) in relation to animal or fish, means any person who owns the animal or fish or is responsible for the management, care, breeding or keeping of the animal or fish;

“premises” means messuages, buildings, holdings, easements and hereditaments of any tenure, and includes any place, structure, tent, stall or mobile vehicle, vessel or any part thereof whether open or enclosed, permanent or temporary and whether public or private, occupied or unoccupied or used for any purpose whatsoever;

“quarantine” means the compulsory detention in isolation of any animal or fish, bird or thing for specific purpose related to animal or fish or bird;

“quarantine station” means any building or place, designated by the State Veterinary Authority under section 98(1), where quarantine is carried out, and includes an examination station;

“riverine waters” means the waters of any rivers, lakes, streams, ponds and such other waters in Malaysia other than maritime waters, whether natural or manmade, privately owned or otherwise;

“*selembu*” means the animal of any age or sex which is the hybrid of any generation of *Bos gaurus hubbakki* and *Bos indicus* or *Bos taurus* or *Bos indicus* and *Bos indicus* crossbreeds;

“ship” includes every description of vessel or craft, however propelled, which may be used in navigation by water;

“State Veterinary Authority” means the authority appointed under section 3;

“the State” means the State of Sarawak;

“veterinary” means all matters relating to animal or fish health, animal or fish welfare, animal or fish production and veterinary public health;

“veterinary biologics” means vaccine, sera, plasma, antigen, toxoids, and any substance or mixture of substances live, killed or attenuated derived from animals or fish, birds, parasites or micro-organisms or parts thereof manufactured, sold or presented for use for any purpose, and includes—

(a) the diagnosis, treatment, control or prevention of a disease, disorder, abnormal physical state in animals or fish or birds;

(b) restoring, correcting or modifying organic functions in animals or fish or birds;

“veterinary centre” means any place established by the State Veterinary Authority for the care and treatment of animals or fish and the general provision of veterinary services for the public;

“veterinary drug” means any remedial or therapeutic substance which is manufactured, imported, or advertised for sale, or is sold for the purposes of curing, diagnosing, treating, controlling, or preventing any disease or ailment in animals or fish and birds or destroying or preventing parasites on or in animals or fish or maintaining or improving the health, productivity, condition or appearance of any animal or fish or bird or for the capturing or immobility of animals or fish or birds and carries the label for veterinary or animal or fish use only or any such label which restricts its use for animal or fish and bird use only, including veterinary biologics and hormones;

“veterinary officer” means any veterinary officer in the service of the Government, and includes a veterinary surgeon authorized by the State Veterinary Authority to exercise any of the powers or duties conferred on the State Veterinary Authority under this Ordinance;

“veterinary public health” means a component of public health relating to the application of veterinary skills, knowledge and resources for the protection of human health;

“veterinary surgeon” means a person with the qualifications stipulated in Parts I and II of the Second Schedule to the Veterinary Surgeons Act 1974 [*Act 147*], and registered under that Act for the practice of veterinary medicine in Malaysia;

“waste” in relation to animals, means the excreta, faeces, urine, carcass or body parts of animals, and includes wasted feeds, water used for the washing, bathing or cleansing of animal, or water or any liquid used for the flushing and cleansing of any livestock farm;

“zoonotic disease” means any disease communicable from animals to human.

[Am. Cap. A97.]

PART II ADMINISTRATION

Appointment of State Veterinary Authority

3.—(1) The Majlis Mesyuarat Kerajaan Negeri may appoint any veterinary officer in the State Public Service to be the State Veterinary Authority for the purpose of performing and carrying out the duties assigned to that Authority under this Ordinance.

(2) The Minister may appoint such number of veterinary officers, assistant veterinary officers, veterinary assistants and such other officers as may be considered necessary to assist the State Veterinary Authority in carrying out the purposes of this Ordinance.

(3) All officers appointed under subsection (2) shall be subject to the control, direction and supervision of the State Veterinary Authority.

(4) All officers appointed under this Ordinance shall be deemed to be public servants within the meaning of the Penal Code *[Act 574]*.

Functions and duties of the State Veterinary Authority

4. The State Veterinary Authority shall—

(a) be responsible for the administration and enforcement of this Ordinance, and in particular—

(i) to control and regulate the import and export of animals, fish and animal or fish products;

(ii) to regulate the establishment and management of livestock farms, abattoirs and meat processing plants;

(iii) to ensure, by way of examination and certification, that meat from animals sold or offered for sale, are fit and safe for human consumption;

(iv) to develop plans and programmes for the prevention of and spread of animal, fish or zoonotic diseases;

(v) to promote animal welfare and improvement of the standards of veterinary services in the State;

(vi) to regulate and control the usage and administration of feeds and veterinary drugs on animals and fish;

(vii) to regulate and control the use, prescription and administration of veterinary biologics on animals and fish; and

(viii) to take such other measures as may be necessary, to promote veterinary public health;

(b) establish veterinary centres for treatment and care of animals and fish, and the general provision of veterinary services;

(c) perform such other functions and duties in relation to this Ordinance as the Minister may from time to time direct; and

(d) carry on such other activities as may appear to the State Veterinary Authority, in consultation with the Minister, requisite, advantageous or convenient for the purpose of carrying out the provisions of this Ordinance.

[Am. Cap. A97.]

Directions of the Minister

5. The Minister may give the State Veterinary Authority such directions, not inconsistent with the provisions of this Ordinance, as he thinks fit, as to the exercise and performance of his functions and duties under this Ordinance, and the State Veterinary Authority shall give effect to all such directions.

Delegation of functions and duties by the State Veterinary Authority

6. The State Veterinary Authority may, with the approval of the Minister, by instrument in writing, delegate to any veterinary officer, or any health inspector in the service of a local authority, any of the functions and duties conferred on it by this Ordinance, subject to such conditions or restrictions as may be specified in the instrument of delegation.

Identification card to be produced

7. The State Veterinary Authority and every authorized person exercising any powers under this Ordinance shall, if not in uniform, declare his office and shall, on demand, produce to any person affected by the exercise of such powers, such identification card as may be required to be carried by any of them under this Ordinance.

PART III

IMPORT AND EXPORT OF ANIMALS, FISH AND ANIMAL OR FISH PRODUCTS

IMPORT

Power to make order with regards to import

8.—(1) The Minister, after consultation with the State Veterinary Authority, may, by order published in the *Gazette*,—

(a) specify the countries or any part thereof from which animals, birds, fish or their products or any specified kinds of animals, birds, fish or their products may be imported, either with or without restriction; and

(b) prohibit, either absolutely or conditionally, the import from any specified country or any specified part of a country of any animal or fish products, feeds, litter, dung or any article or substance that is likely to convey or spread disease.

[Am. Cap. A97.]

(2) Any person who contravenes the provisions of any order made under subsection (1) shall be guilty of an offence: Penalty, a fine not exceeding fifty thousand ringgit or imprisonment not exceeding two years or both such fine and imprisonment.

No person to import any animal, fish, animal or fish products without licence

9.—(1) No person shall import any animal, fish, animal or fish products except in accordance with the terms and conditions of a licence issued under this Ordinance.

(2) A licence to import any animal, fish, animal or fish products under this Ordinance may be obtained by application made in writing to the State Veterinary Authority or any officer authorized by it, subject to such terms and conditions as may be imposed.

[Am. Cap. A97.]

(3) Any person who contravenes subsection (1) shall be guilty of an offence: Penalty, a fine not exceeding fifty thousand ringgit or imprisonment not exceeding two years or both such fine and imprisonment.

Examination and detention of imported animals and animal products

10.—(1) Every animal, fish, animal or fish products imported or about to be imported may be required to undergo an examination by the State Veterinary Authority either at the place of arrival or at such other place as the State Veterinary Authority may appoint and if any such animal, fish, animal or fish products is considered likely to have been exposed to infection with any disease, the State Veterinary Authority may subject it to such biological or other test or treatment as it may think necessary, and may charge such fees therefor as may be prescribed.

(2) Any animal, fish, animal or fish products may on importation be detained by the State Veterinary Authority for observation, examination, test or treatment for such period and at such place as in the circumstances of the case it thinks proper.

[Am. Cap. A97.]

Arrival of animal, fish, animal or fish products to be reported

11.—(1) The master of any ship or aircraft and the driver of any vehicle on board of which there is any animal, fish, animal or fish products whether such animal, fish, animal or fish product is intended to be landed in the State or not, shall forthwith on the first arrival of the ship or aircraft at a port, airfield or station in the State, report the fact to a Port Officer or the officer in charge of the airfield or the station, as the case may be, who shall without delay notify the nearest veterinary officer.

(2) A veterinary officer may board any ship, aircraft or vehicle for the purpose of examining such animal, fish, animal or fish products.

(3) A Port Officer or officer in charge of an airfield or station shall not permit any animal, fish, animal or fish products which has arrived in the State to be landed or removed from the ship, aircraft or vehicle until he is satisfied that the State Veterinary Authority has granted a licence for the landing or removal of such animal, fish, animal or fish products.

(4) Subsection (3) shall apply, notwithstanding that a licence may have been granted under section 9 or that the animal, fish, animal or fish products comes from a country or part of a country specified in an order made under section 8(1)(a).

(5) (a) Any person who fails to make a report as required by subsection (1) shall be guilty of an offence: Penalty, a fine not exceeding five thousand ringgit.

(b) Any person who permits an animal, fish, animal or fish products to be landed or removed contrary to the provisions of subsection (3) shall be liable to a fine not exceeding two thousand ringgit.

[Am. Cap. A97.]

Import of diseased animal, fish, animal or fish products and contact

12.—(1) If any animal, fish, animal or fish products which has been or is about to be imported is, in the opinion of the State Veterinary Authority, infected with any disease or likely to have been in contact with any infected or diseased animal, fish, animal or fish products or is contaminated, or is unfit for human consumption, the State Veterinary Authority may in his discretion either—

(a) refuse to permit such animal, fish, animal or fish products or any contact thereof, to be landed or removed; or

(b) cause such animal, fish, animal or fish products and any contact thereof to be destroyed at once or to be disposed of in such manner as it may direct; or

(c) cause such animal, fish, animal or fish products and any contact thereof to be detained in quarantine for such period as it may consider necessary.

(2) If any animal, fish, animal or fish products is destroyed under subsection (1)(b), the expenses thereby incurred shall be payable by the owner or person in charge thereof.

(3) No compensation shall be payable in respect of any animal, fish, animal or fish products destroyed under this section.

[Am. Cap. A97.]

Animal, fish, animal or fish products on board a vehicle, etc.

13.—(1) Any animal, fish, animal or fish products imported by sea, land or air shall, unless a State Veterinary Authority has authorized its landing or removal, at all times while on board the ship, aircraft or vehicle in any port, airfield or station, be confined in an enclosed part of such ship, aircraft or in a cage, enclosure or kennel.

[Am. Cap. A97.]

(2) If any animal or fish dies or is lost from a ship, aircraft or vehicle in any port, airfield or station, the master of the ship or aircraft or the driver of the vehicle shall immediately notify the State Veterinary Authority of such death or loss.

[Am. Cap. A97.]

(3) Any person who contravenes or fails to comply with subsection (1) or (2) shall be guilty of an offence: Penalty, a fine not exceeding one thousand ringgit.

(4) (a) Subject to paragraph (b) and to any directions to the contrary given by the State Veterinary Authority, every dog or cat imported into the State shall undergo a period of quarantine of not less than six months or such other period as may be approved by it and in such place as it may direct.

(b) Any dog or cat imported into the State from any rabies free country shall, if the State Veterinary Authority is satisfied that the following provisions have been complied with, be exempted from paragraph (a), namely, that—

(i) every such dog or cat was imported from any rabies free country direct to the State or subject to subparagraph (ii) transit through any country and thence direct to the State;

(ii) if any such dog or cat is on transit through any country, it shall, during the whole of its period in that country, have been detained in a quarantine station and when imported into the State, it shall be accompanied by a certificate to the effect that it was so detained, signed by the appropriate veterinary authority of that country;

(iii) every such dog or cat imported into the State shall be accompanied by a certificate signed by the appropriate veterinary authority in the exporting country, certifying that at the time of its embarkation such dog or cat was in good health and free from any disease of an infectious or dangerous nature.

(5) For the purpose of subsection (4), a dog or cat shall be deemed to have been transported direct from one place to another if it was not removed from the carrier during the course of the journey.

Destruction of imported injured animals

14.—(1) If any animal or fish examined by the State Veterinary Authority or an authorized person for the purposes of import into the country is found to be suffering from injury which in the opinion of the State Veterinary Authority cannot be relieved or cured, it or the authorized person may cause such animal or fish to be destroyed at once or dealt with in such manner as it may direct.

(2) If any animal or fish is destroyed under this section the expense thereby incurred for the disposal of the carcass shall be payable by the owner or person in charge thereof.

(3) No compensation shall be payable in respect of any animal or fish destroyed under this section.

[Am. Cap. A97.]

Permission to land carcass

15.—(1) No person shall land or remove from any vessel, aircraft or vehicle the carcass of any animal or fish, imported from outside the State, without the permission of the State Veterinary Authority which shall give directions as to the manner of its disposal.

(2) Any person landing or removing the carcass of an animal or fish contrary to subsection (1) or failing to comply with any direction given by the State Veterinary Authority thereunder shall be liable to a fine not exceeding one thousand ringgit.

[Am. Cap. A97.]

Destruction or disinfection of certain articles

16. Whenever it appears to the State Veterinary Authority that any bedding, litter, feeds, dung, semen, personal belongings or other substance or material imported by land, sea or air may convey or spread disease, it may seize and detain the same at its discretion and may order the destruction or disinfection thereof.

EXPORT

No person to export any animal, fish, animal or fish products without licence

17.—(1) No person shall export any animal, fish, animal or fish products except in accordance with the terms and conditions of a licence issued under this Ordinance.

(2) A licence to export any animal, fish, animal or fish products may be obtained by application made in writing to the State Veterinary Authority and upon payment of the prescribed fee.

(3) Any person who exports any animal, fish, animal or fish products contrary to subsection (1) shall be liable to a fine not exceeding five thousand ringgit or to imprisonment not exceeding six months, or to both such fine and imprisonment.

(4) The issue of any licence under this section shall not relieve or exempt the holder thereof from compliance with any other written law relating to the export of animals or fish from the State.

[Am. Cap. A97.]

Examination of animal, fish, animal or fish products before exportation

18. Where any animal, fish, animal or fish products which are about to be exported are, in the opinion of the State Veterinary Authority, infected with any disease or contaminated, the State Veterinary Authority may refuse to permit such animal, fish, animal or fish products or any contacts thereof, to be exported.

[Sub. Cap. A97.]

PART IV

PREVENTION OF ANIMAL AND FISH DISEASES

GENERAL

Examination for animal, fish, animal or fish products suspected of disease

19.—(1) If the State Veterinary Authority has reason to believe that any animal, fish, animal or fish products or carcass may be infected with any disease, it may subject such animal, fish, animal or fish products or carcass to such examination or disease test as it may consider necessary, and for the purposes of such examination or test may take blood, milk, urine or any other substance from such animal, fish, animal or fish products and carcass.

(2) For the purpose of carrying out any examination or test under subsection (1), the State Veterinary Authority may order that the animal, fish, animal or fish products and carcass be delivered to it at a specific place and time, and no such animal, fish, animal or fish products or carcass shall be removed from such place without the permission of the State Veterinary Authority:

Provided that no person shall be required to deliver any animal, or fish products at any place more than fifty kilometres from the place at which such animal or fish is kept.

[Am. Cap. A97.]

(3) Any person who fails without lawful excuse to comply with any order made under subsection (2) shall be liable to a fine not exceeding five hundred ringgit.

Destruction of diseased animal, fish, animal or fish products

20. The State Veterinary Authority may order the immediate isolation or destruction of any animal, fish, animal or fish products, reasonably believed to be infected with disease or suspected to have been in contact with a diseased animal, fish, animal or fish products or material, whether as a result of examination or test made under section 19 or otherwise.

[Am. Cap. A97.]

Compensation for any animal, fish, animal or fish products destroyed

21.—(1) No compensation shall be payable in respect of any animal, fish, animal or fish products infected with disease and destroyed by order of the State Veterinary Authority.

(2) Notwithstanding subsection (1), there shall be payable as compensation to the owner in respect of any animal, fish, animal or fish products reasonably believed to be infected with disease which has been destroyed by order of the State Veterinary Authority and found not to be so infected, such sum as may be approved by the Minister.

[Am. Cap. A97.]

Post-mortem examination

22.—(1) The State Veterinary Authority may conduct a post-mortem examination on the carcass of any animal or fish and may remove such portions of the carcass as it may deem necessary for laboratory examination, and for the purposes of such examination may order that the carcass be delivered to it at such place and time as it shall specify.

(2) The State Veterinary Authority may order the carcass of an animal or fish which has been buried to be exhumed for the purpose of such post-mortem examination.

[Am. Cap. A97.]

(3) Any person who fails without lawful excuse to comply with any order issued under this section shall be liable to a fine not exceeding one thousand ringgit.

Diseased and contact animal or fish

23.—(1) If the State Veterinary Authority considers that any animal or fish has been exposed to infection with any disease it may order that such animal or fish be subjected to such prophylactic or curative treatment.

[Am. Cap. A97.]

(2) Any person who fails without lawful excuse to comply with any order issued under this section shall be liable to a fine not exceeding one thousand ringgit.

Disinfection of premises, etc.

24.—(1) The State Veterinary Authority may order any premises in which an infected animal, fish, animal or fish products has been found or kept, to be disinfected in such manner as he may direct and may by order prohibit the further use of such premises for the keeping of any animal, fish, animal or fish products until such disinfection has been completed.

[Am. Cap. A97.]

(2) Any person who fails without lawful excuse to comply with any order made under this section shall be liable to a fine not exceeding one thousand ringgit.

Closure of premises, etc.

25.—(1) If the State Veterinary Authority is of the opinion that any premises which has been occupied by an infected animal, fish, animal or fish products cannot be effectively disinfected, it may order the owner or occupier thereof, to close the same for such period as may be specified in the order, and to disinfect the premises.

[Am. Cap. A97.]

(2) If an order made under subsection (1) is not complied with within the specified period the State Veterinary Authority may, with the approval of the Minister, cause such premises to be destroyed and the materials to be buried.

(3) The State Veterinary Authority shall make a report to the Minister upon every order made under this section and the Minister may in his discretion give or withhold compensation for any premises so closed or destroyed.

(4) Any person who fails without lawful excuse to comply with any order made under subsection (1) shall be liable to a fine not exceeding three thousand ringgit or to imprisonment for a period not exceeding nine months or to both such fine and imprisonment.

Disinfection or destruction of articles

26.—(1) The State Veterinary Authority may order the disinfection or destruction of any of bedding, clothing, harness, fittings, buckets, pails, or utensils whatsoever used in connection with any infected animal, fish, animal or fish products and compensation to be assessed by it shall be payable for any articles so destroyed.

[Am. Cap. A97.]

(2) Any person who fails without lawful excuse to comply with any order made under this section shall be liable to a fine not exceeding one thousand ringgit.

Disinfection of person and clothing

27.—(1) The State Veterinary Authority may order the disinfection of the body and clothing of any person who has been in contact with, in charge of, or attendant upon, any animal, fish, animal or fish products infected with or reasonably believed to be infected with disease.

[Am. Cap. A97.]

(2) Any person who fails without lawful excuse to comply with any order made under this section shall be liable to a fine not exceeding one thousand ringgit.

Disinfection of vehicle

28.—(1) The State Veterinary Authority may order the disinfection of any vehicle or conveyance entering or leaving a premises to be disinfected, closed or destroyed under section 24, 25 or 26, or which has been used in the transport of any animal, fish, animal or fish products infected with or reasonably believed to be infected with disease.

[Am. Cap. A97.]

(2) Any person who fails without lawful excuse to comply with any order made under this section shall be liable to a fine not exceeding one thousand ringgit.

Disposal of infected animal, fish, animal or fish products

29.—(1) No person shall knowingly cast or cause or permit to be cast into any drain, stream, river, street or open space or otherwise expose any animal, fish, animal or fish products which is or has been infected with disease or any feed, litter, dung or thing which has been used in connection with any infected animal, fish, animal or fish products.

[Am. Cap. A97.]

(2) Any person who contravenes subsection (1) shall be liable to a fine not exceeding two thousand ringgit or to imprisonment not exceeding six months or to both such fine and imprisonment.

Owner of diseased or dead animal or fish to report

30.—(1) Every owner or person in charge of any animal or fish infected with or reasonably suspected to be infected with disease shall immediately make a report to the State Veterinary Authority and shall, as soon as reasonably practical, cause such animal or fish and all other animals or fish which have been in contact with it to be confined and isolated until the arrival of the State Veterinary Authority.

(2) Every owner or person in charge of any animal or fish reasonably suspected to have died of disease shall immediately report such death to the State Veterinary Authority and, in the case of an animal or fish, the carcass shall not be removed without permission from the State Veterinary Authority:

Provided that it shall not be an offence to bury the carcass of such animal or fish if no instruction have been received within twenty-four hours of making such report or where through distance, difficulty of terrain or of communication the report cannot be made within twenty-four hours.

[Am. Cap. A97.]

(3) (a) Any person who fails without reasonable excuse to make any report required under this section shall be liable to a fine not exceeding five hundred ringgit.

(b) Any person who fails without reasonable excuse to cause any animal or fish to be confined and isolated as required by subsection (1) or permitting the carcass of an animal or fish to be moved contrary to subsection (2) shall be liable to a fine not exceeding one thousand ringgit.

[Am. Cap. A97.]

SPECIAL PROVISIONS RELATING TO ANIMALS OR
FISH (OTHER THAN DOGS AND CATS)

Application

31. Sections 32 to 36 shall not apply to dogs and cats.

Disposal of dead animal or fish

32.—(1) The owner or person in charge of any animal or fish that has died from disease or has been destroyed by order of the State Veterinary Authority shall incinerate or otherwise dispose of the carcass thereof as the State Veterinary Authority may direct.

[Am. Cap. A97.]

(2) Any person who fails without reasonable excuse to comply with any directions given by the State Veterinary Authority under subsection (1) shall be liable to a fine not exceeding one thousand ringgit.

Moving or disposal of diseased or suspected animals or fish

33.—(1) No person shall move or dispose of, whether by sale or otherwise, any diseased animal or fish, or reasonably suspected of being diseased or of being a contact or of the carcass of such animal or fish or dung of such animal or fish or of the milk of such animal, except under and in accordance with the written permission of the State Veterinary Authority.

[Sub. Cap. A97.]

(2) Any person who contravenes subsection (1) shall be liable to a fine not exceeding one thousand ringgit.

Removal of articles from infected premises

34.—(1) The State Veterinary Authority may by order prohibit the removal of milk, manure, feed, litter or other articles likely to carry or convey infection, from premises on which there is or recently has been, any animal or fish infected with disease.

[Am. Cap. A97.]

(2) Any person who fails without reasonable excuse to comply with any order made under this section shall be liable to a fine not exceeding one thousand ringgit.

Infected area, disease control area and disease eradication area

35.—(1) Whenever there is reasonable cause to believe that—

(a) any disease exists among any animal or fish in the State or any part of the State;

(b) any disease is likely to be introduced into the State or any part of the State; or

(c) it is desirable to control or eradicate any disease from the State or any part of the State,

the Minister may issue an order declaring the State or any part of the State to be an infected area, a disease control area or a disease eradication area for the specified disease, as the case may be, and may by the same or subsequent order—

(i) prohibit either absolutely or conditionally the removal into or out of such area any animal, fish, animal or fish products;

(ii) prohibit either absolutely or conditionally the slaughter of any animal, fish, animal or fish products within such area;

(iii) prohibit either totally or conditionally the sale of any animal, fish, animal or fish products within such area;

(iv) prohibit the keeping of any animal or fish product or the keeping or rearing of any animal or fish within such area;

(v) impose conditions as to the cleaning and disinfection of market places, abattoirs, buildings or any other places, or of baskets, crates, and any other container or vehicle in which animals or fish have been kept or carried;

(vi) require the production of animals, fish or their products (including the taking of blood, milk, urine, fluid or other substance from such animals or fish), vaccination and the tattooing or otherwise marking of such animals or fish;

(vii) prohibit the keeping or rearing of any animal or fish in the whole or part of the area;

(viii) notwithstanding any other provision of this Ordinance or rules made thereunder, withdraw any licence or permit for the import of any animal, fish, animal or fish products issued under this Ordinance or impose any further conditions on such licence or permit;

(ix) impose any other conditions or make any provisions that may be necessary to prevent the introduction or spread of or to control or eradicate such disease.

[Am. Cap. A97]

(2) Subject to subsection (1), where an area has been declared to be an infected area, a disease control area or a disease eradication area, the State Veterinary Authority may issue such order not inconsistent with any order made under subsection (1) to regulate the tying-up, isolation, segregation, movement or slaughter of animals or fish or birds or to carry out other prophylactic measures or the tattooing or otherwise marking of animals or fish or birds within the area as he may deem necessary to control and check the spread of or to eradicate the disease and in the event of any owner or person in charge of any animal or fish or bird failing to comply with such order the

State Veterinary Authority may take such steps as are necessary to effectively isolate or segregate such animal or fish and all expenses incurred shall be recoverable from the owner or person in charge or both.

[Am. Cap. A97.]

(3) Every order made under subsection (1) or (2) shall be published in the *Gazette*, but shall come into operation on such date as may be specified in the order.

(4) Any animal found straying within an infected area, a disease control area or disease eradication area in contravention of an order issued under subsection (1) or (2), may be destroyed forthwith by the State Veterinary Authority or may be seized and detained until its forfeiture has been ordered.

(5) Any animal or fish or their products which is moved or offered for sale or sold in contravention of an order issued under subsection (1) or (2), may be ordered by the State Veterinary Authority to be destroyed forthwith or may be seized and detained until its forfeiture has been ordered.

(6) For the purpose of carrying out any test, vaccination or prophylactic treatment under subsection (2), the State Veterinary Authority may order that the animal or fish be delivered to him at a specified place or time and no such animal or fish shall be removed from such place without the permission of the State Veterinary Authority.

[Am. Cap. A97.]

(7) Any person who fails without reasonable excuse to comply with any order made under subsection (1) or (2) shall be liable to a fine not exceeding one thousand ringgit.

(8) No compensation shall be payable for any animal or fish or their products destroyed or seized under this section.

[Am. Cap. A97.]

(9) Notwithstanding subsection (8), where a specific national disease eradication scheme is in operation, compensation may be payable as may be approved by the Minister.

(10) (a) For the purpose of this section, “disease” shall mean any disease specified in the First Schedule.

(b) The Minister may, by Order published in the *Gazette*, add to, vary or amend the First Schedule.

[Am. Cap. A97.]

Special permit

36. The State Veterinary Authority may, with the approval of the Minister, grant, subject to such conditions as he may consider necessary, permission to the owner of any animal or fish to remove it into or out of any infected area.

[Am. Cap. A97.]

SPECIAL PROVISIONS RELATING TO DOGS IN CONNECTION WITH RABIES

Rabies-infected area

37.—(1) The Minister may, by order published in the *Gazette*, declare the State or any part thereof to be a rabies-infected area.

(2) No person shall take any dog out of a rabies-infected area except in accordance with a written permit issued by the State Veterinary Authority.

(3) The owner or person in charge of any dog within a rabies-infected area shall cause such dog to be kept under effective control, either by—

(a) confining it within an enclosed area from which it is impossible for the dog to escape; or

(b) tying it up securely; or

(c) leading it by a chain or lead of strong cord or leather properly secured to a collar or harness worn by the dog:

Provided that the State Veterinary Authority if it is satisfied that any dog, whether by reason of prophylactic treatment or otherwise, is immune from infection by rabies, may exempt such dog from the requirements of this subsection subject to such conditions as may be imposed.

(4) Any dog found within a rabies-infected area which is not under effective control in accordance with subsection (3) may be destroyed by any person authorized in writing in that behalf by the State Veterinary Authority and any person so authorized may enter any land, building or premises for the purpose of carrying out the provisions of this subsection:

Provided that such person—

(a) shall not enter into any dwelling-house for such purpose except during the hours of daylight; and

(b) shall, if so required, produce and show his written authority to the owner, occupier or person for the time being in charge of such land, building or premises.

(5) (a) Any person who contravenes subsection (3) shall be liable to a fine not exceeding five thousand ringgit or to imprisonment not exceeding three months or to both such fine and imprisonment.

(b) Any person who fails without reasonable ground to comply with subsection (4) shall be liable to a fine not exceeding two thousand five hundred ringgit.

Destruction or detention of animal suspected to be infected with rabies

38.—(1) Where the State Veterinary Authority or any authorized person reasonably suspects that any animal may be infected with rabies or has been exposed to rabies infection, it may in its discretion either cause the animal to be destroyed forthwith or may order the owner or person in charge of such animal to take it forthwith to an animal quarantine station for detention and observation.

(2) If the owner or person in charge of any such animal fails to comply with such order, the State Veterinary Authority may either cause the animal to be destroyed or take possession of the animal and remove it to an animal quarantine station.

(3) The Veterinary Authority may either destroy any such animal in the animal quarantine station or may detain it until he is satisfied that it is free from disease.

(4) The State Veterinary Authority may take possession of the body of any animal that has died or has been destroyed and which is reasonably suspected to have been infected with rabies and may dispose of it in such manner as it may think fit.

(5) No compensation shall be payable to any person in respect of the destruction of any animal pursuant to this section.

(6) Any person who fails without reasonable cause to comply with subsection (1) shall be liable to a fine not exceeding one thousand ringgit.

Detention of any dog that has bitten a person

39.—(1) (a) The State Veterinary Authority or an authorized person may order the owner or person in charge of any dog that has or is reasonably believed to have bitten any person to produce the dog to it or him for examination by a veterinary officer or a veterinary surgeon approved by the State Veterinary Authority; but pending such examination, the dog may be detained by the State Veterinary Authority or authorized person at such place as it or he may deem fit.

(b) If the owner or person in charge of dog fails to comply with such order, the State Veterinary Authority or an authorized person may take possession of the dog and remove it to an animal quarantine station or a veterinary centre.

(c) Any person who fails without lawful cause to comply with any order made under this section shall be guilty of an offence. Penalty, a fine not exceeding one thousand ringgit.

(2) If the examination of the dog pursuant to subsection (1)(a) reveals that the dog is suffering from rabies, the State Veterinary Authority shall order the dog to be destroyed forthwith and shall also notify the person bitten by the dog or the medical practitioner or medical officer treating him, of the result of the examination aforesaid.

Anti-rabies vaccination of dogs

40.—(1) The Minister may, by Order (in this section referred to as an “Anti-rabies Vaccination Order”) published in the *Gazette*, require that all dogs within the State, or any part thereof shall be submitted to anti-rabies vaccination.

(2) Every Anti-rabies Vaccination Order shall remain in force until the thirty-first day of December of the year in which it is made or until the revocation of the same, whichever period shall be the shorter, but without prejudice to the making of further Anti-rabies Vaccination Order to take effect upon the expiry of the said period.

(3) Where an Anti-rabies Vaccination Order has been made the State Veterinary Authority shall specify the period of time within which, and the places at which, dogs or groups of dogs, shall be produced for the purposes of such vaccination.

(4) All such arrangements for vaccination of dogs shall be published in such manner as the State Veterinary Authority may consider necessary.

(5) (a) The State Veterinary Authority may further require that every dog which has been vaccinated in accordance with an Anti-rabies Vaccination Order shall, after such date as may be specified, at all times during the continuance in force of that Order and within the area to which that Order applies, carry upon it a serially numbered metal badge or mark, tag or other evidence of vaccination, and any dog found within such area after the date specified, whether at large or not, which does not carry the proper evidence of vaccination may be detained or destroyed.

(b) The State Veterinary Authority may authorize in writing persons to destroy dogs in accordance with paragraph (a) and any person so authorized may enter any land, building or premises for the purpose of carrying out the provisions of this subsection:

Provided that such person—

(i) shall not enter into any dwelling-house for such purpose except during the hours of daylight; and

(ii) shall, if so required, produce and show his written authority to the owner, occupier or person for the time being in charge of such land, building or premises.

(6) If any owner or person in charge of a dog fails to comply with any Order or direction made or given under subsection (1) or (3), the State Veterinary Authority may detain or destroy such dog.

(7) Any owner or person in charge of a dog who fails without reasonable cause to comply with any Order or direction made or given under subsection (1) or (3) shall be guilty of an offence: Penalty, a fine not exceeding two thousand five hundred ringgit.

PART V
LIVESTOCK FARMING

Interpretation

41. In this Part—

“Controller” means the Controller of Environmental Quality appointed under the Natural Resources and Environment Ordinance [*Cap. 84 (1958 Ed.)*];

“livestock farming” means the breeding, rearing, caring and treatment of livestock as a commercial undertaking or for sale, other than for personal consumption, and the standing livestock population exceed such number as the Minister may, by notification in the *Gazette*, stipulate;

[*Am. Cap. A97.*]

“Natural Resources and Environment Board” means the Board established under section 3 of the Natural Resources and Environment Ordinance [*Cap. 84 (1958 Ed.)*];

“standing livestock population” means the total number of livestock kept in a livestock farm at any time;

“watercourse” includes any river, stream, canal, drain, well, spring, pond, pool, waterfall, reservoir, lake and any part of the sea abutting the foreshore, and any other body of water, including water on wetlands.

Licence required for livestock farming

42.—(1) No person shall carry out any livestock farming except under the authority of a licence granted by the State Veterinary Authority in accordance with rules made under section 102.

(2) Any person who contravenes subsection (1) commits an offence and shall on conviction be liable to a fine not exceeding five thousand ringgit or to imprisonment not exceeding two years or to both such fine and imprisonment.

Conditions precedent for issuance of licence

43. No licence shall be issued for livestock farming unless—

(a) the State Veterinary Authority is satisfied, after seeking and taking into account the views of the Controller, that the livestock farm to which the licence relates, already has or will have adequate facilities for the treatment and disposal of waste;

(b) the livestock farm is situated on land or a locality which is approved by the State Planning Authority or Director of Lands and Surveys for the rearing of the type of livestock to which the licence relates, or the establishment of a livestock farm on such land would not infringe any condition of title relating thereto;

(c) the Controller certifies in writing that having regard to the standing livestock population in that livestock farm, the facilities provided for the treatment and disposal of waste in that livestock farm would not result in the pollution of the areas in the vicinity of the livestock farm or of any watercourse;

(d) there are adequate facilities and precautions taken in the livestock farm to prevent or control the spread of infections or diseases listed in the First Schedule, amongst the livestock population in that farm or in any neighbouring livestock farms;

(e) the facilities for the treatment of waste in the livestock farm are capable of meeting the standards prescribed by the Natural Resources and Environment Board; and

(f) in the case of breeding or rearing of pigs, the livestock farm complies with the requirements of section 44.

Pig farms

44.—(1) No licence shall be issued for a pig farm unless the layout plan of the farm including the boundaries thereof and the facilities for controlling pig waste discharge or disposal has been approved by the State Veterinary Authority after consultation with the Controller:

Provided that in regard to a pig farm, existing at the date of commencement of this Ordinance, the State Veterinary Authority, after consultation with the Controller, may agree to the existing layout plan and design of the existing farm with such modification as it deems necessary or may require the owner of the pig farm to make such alterations or modifications thereto as it, in consultation with the Controller, deems necessary.

(2) The owner of a pig farm shall, in respect of each year, submit two reports to the Controller, namely—

- (a) a first half-yearly report; and
- (b) a second half-yearly report.

(3) The report shall be submitted in such form as may be prescribed by the Controller and shall contain information pertaining to the standing pig population, and such other particulars relating to the pig farm as may be required by the Controller.

(4) The first half-yearly report shall be in respect of the period from the 1st of January until the 30th of June of the particular year; and the second half-yearly report shall be in respect of the period from the 1st of July until the 31st of December of that year.

(5) The first half-yearly report shall be submitted to the Controller not later than the 31st of July of the particular year; and the second half-yearly report shall be submitted to the Controller not later than the 31st of January of the following year.

(6) (a) Any person who, without reasonable excuse, fails to submit first half-yearly report or second half-yearly report within the period stipulated in subsection (4) shall be guilty of an offence: Penalty, a fine not exceeding two thousand ringgit.

(b) Upon such conviction the State Veterinary Authority may cancel or suspend any licence issued, under this Part, to the person convicted.

Display and production of licence

45.—(1) A holder of a licence shall display in a conspicuous place on the livestock farm the licence issued to him.

(2) A holder of a licence shall on demand by the State Veterinary Authority or any authorized person produce the licence issued to him.

(3) Any person who contravenes subsection (1) or (2) shall on conviction be liable to a fine not exceeding five hundred ringgit.

Power of entry and seizure

46.—(1) For the purpose of ascertaining whether any offence against this Part has been or is being committed, the State Veterinary Authority or any authorized person or the Controller or any other officer authorized by him, may at any time—

(a) enter and examine any livestock farm or any land, building or premises in respect of which it or he has reasonable cause to suspect is being used for livestock farming and the owner or occupier of such farm or land, building or premises, as the case may be, shall render all necessary assistance and furnish such information as may be required by the State Veterinary Authority or any authorized person or the Controller or any other authorized officer; and

(b) stop, detain, enter and examine any conveyance used for the carrying of any livestock.

(2) If the State Veterinary Authority or any authorized person or the Controller or any police officer has reasonable ground for believing that an offence against this Part has been or is being committed, the State Veterinary Authority or authorized person or Controller or police officer may seize any livestock which is the subject matter of such offence, and may remove and sell such livestock or remove such livestock to a lawful abattoir to be slaughtered therein, or may dispose of such livestock in any manner as the State Veterinary Authority or authorized officer or Controller or such police officer may determine.

(3) The meat or carcass of any animal slaughtered under this section shall be disposed of in such manner as the State Veterinary Authority may determine.

(4) The proceeds of any sale under subsection (2) or (3) (if the livestock, meat or carcass, as the case may be, is sold) shall be disposed of in such manner as the State Veterinary Authority may determine or, if there is any prosecution, in such manner as the court may direct.

PART VI

ANIMAL OR FISH FEEDS AND VETERINARY DRUGS

Interpretation

47. For the purposes of this Part—

“compound feed” means products which, when administered in the quantities prescribed, are adequate under normal management conditions to afford to normal animals or fish of the species and class concerned the full range of nutritional ingredients in their diet necessary for the breeding or rearing of exemplary specimens of animals or fish;

“feed concentrate” means such feed as is designed to supplement or balance the basic ingredients of a feed ration to afford normal animals or fish full nourishment;

“mineral mixture” has the same meaning as “feed concentrate”;

“simple feed” means animal or fish feed which has been declared by the Minister, by notification in the *Gazette*, to be a simple feed within the meaning of this Ordinance.

[Am. Cap. A97.]

Licence to manufacture, prepare, market and import animal feeds

48.—(1) No person shall import, manufacture, process for sale or utilization or sell simple feeds, mineral mixtures, feed concentrates or compound feeds without a licence issued by the State Veterinary Authority.

[Am. Cap. A97.]

(2) The feed concentrates and other feeds referred to in subsection (1) shall not contain any drug or substances regulated under the Poisons Act 1952 *[Act 366]* or the Sale of Drugs Act 1952 *[Act 368]*, unless such drug or substances are ordered or prescribed by a veterinary surgeon.

(3) A licence shall be subject to such conditions and restrictions as the State Veterinary Authority may, in its discretion, impose and may be suspended or revoked upon any breach of such conditions or restrictions or if there has been any contravention of the provisions of this Ordinance.

(4) Any person who contravenes subsection (1) shall be guilty of an offence: Penalty, a fine not exceeding fifteen thousand ringgit or imprisonment not exceeding one year or both such fine and imprisonment.

Obligation to furnish statutory statement to purchaser

49.—(1) It shall be the duty of every person who sells animal feeds to furnish the purchaser on or before delivery or as soon as possible a written statement (referred to in this Ordinance as a “statutory statement”) in such form and containing particulars of the ingredients used for the manufacture of the feeds or their components or such other particulars as may be required under rules made pursuant to section 56.

(2) Any person who contravenes subsection (1) shall be guilty of an offence: Penalty, a fine not exceeding two thousand ringgit.

Manufacturer to give warranty

50.—(1) A manufacturer of animal feeds shall give to every purchaser a warranty in the prescribed form, which shall contain such particulars as may be prescribed by rules made under section 56.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

Right of purchaser to have sample taken

51. The purchaser of any animal feed shall on payment of the prescribed fees be entitled to—

(a) have a sample of the article taken by the State Veterinary Authority and analyzed; and

(b) receive a certificate of the result of the analysis.

Powers of entry and taking of samples in respect of animal feeds

52.—(1) The State Veterinary Authority or any authorized person may at all reasonable times enter and examine any premises for the purpose of ascertaining whether—

(a) the premises is being used for the manufacture, processing for sale or utilization or sale of simple feeds, mineral mixtures, feed concentrates and compound feeds; or

(b) any offence under this Ordinance or any rules made thereunder has been or is being committed.

[Am. Cap. A97.]

(2) The State Veterinary Authority or any authorized person may at all reasonable times enter—

(a) any premises used for the storage, manufacture or sale or utilization of animal feeds; or

(b) any vehicle used for the transport of animal feeds,

for the purpose of inspecting the condition of storage compartments and animal feeds and taking samples thereof.

[Am. Cap. A97.]

(3) Any owner of, or person entrusted for the time being with the charge and custody of, simple feeds, mineral mixtures, feed concentrates or compound feeds, who refuses to allow the State Veterinary Authority to take samples as it thinks fit shall be guilty of an offence: Penalty, a fine not exceeding two thousand ringgit.

Animal feeds containing harmful ingredients

53. In any case where in any simple feed, mineral mixture, feed concentrate or compound feed which has been sold, it is found on analysis to contain any ingredient deleterious or dangerous to animals or fish, the seller, manufacturer or proprietor, as the case may be, shall be deemed to be guilty of an offence: Penalty, a fine not exceeding two thousand ringgit.

[Am. Cap. A97.]

Tampering with animal feeds

54. Any person who—

(a) fraudulently tampers with any animal feed so as to procure that any sample thereof taken or submitted for analysis under this Ordinance does not correctly represent that animal feeds; or

(b) tampers or interferes with any sample submitted for analysis under this Ordinance,

shall be guilty of an offence; Penalty, a fine not exceeding ten thousand ringgit or imprisonment for a term not exceeding eighteen months or both.

[Am. Cap. A97.]

Administration of certain substances to animals or fish

55.—(1) No substance listed in the Poisons List to the Poisons Act 1952 [*Act 336*], shall be administered or given to any animal or fish unless—

(a) such substance is obtained from a person licensed to sell poison under the said Act; and

(b) the administration or application of such substance on an animal or fish is carried out under the prescription, supervision or direction of a veterinary officer or a veterinary surgeon.

(2) Any person administering or giving any substance referred to in subsection (1) shall keep records of the name, nature and dosage or quantity of the substance administered or given to the animal or fish, and shall if so required, produce such records for inspection by the State Veterinary Authority or any authorized person.

[Am. Cap. A97.]

(3) Any person who contravenes subsection (1) or (2) shall be guilty of an offence: Penalty, a fine not exceeding five thousand ringgit or imprisonment not exceeding one year or both such fine and imprisonment.

Rules for animal feeds

56. The Minister may make rules for carrying out the purposes of this Part and in particular to provide for—

- (a) the regulation and control of the manufacture, preparation, marketing, importation, storage, transport and utilization of simple feeds, mineral mixtures, feed concentrates or compound feeds;
- (b) the therapeutic substances that may be added to simple feeds, mineral mixtures, feed concentrates or compound feeds;
- (c) the particulars that shall be contained in a warranty given by a manufacturer in respect of animal feeds; and
- (d) the method of taking samples and their analysis.

[Am. Cap. A97.]

Dispensing of veterinary drugs

57.—(1) No person shall dispense, administer on or provide for consumption by any animal or fish, any veterinary drug for the treatment of any animal or fish unless he is—

- (a) a veterinary surgeon or a person working under the immediate supervision of a veterinary surgeon; or
- (b) a person, acting in the course of his duties, who is employed in a veterinary centre, quarantine station or livestock farm maintained by the Government or the State Veterinary Authority.

[Am. Cap. A97.]

(2) Any person who contravenes subsection (1) shall be guilty of an offence: Penalty, a fine not exceeding ten thousand ringgit or imprisonment not exceeding eighteen months or both such fine and imprisonment.

PART VII
ABATTOIRS AND MEAT PROCESSING
FACTORIES, *ETC.*

Interpretation

58. For the purposes of this Part—

“animal” means a buffalo, deer, cattle, goat, sheep, pig, poultry, bird or any other animal which the State Veterinary Authority may, by notification published in the *Gazette*, specify;

“meat” means the edible part of any animal used as food for human beings, including bones, offals, sausages and other meat preparations of cattle, sheep, goat, pig, bird and rabbit, whether fresh, chilled, frozen, pickled, salted, smoked, dried, cooked or canned;

“meat processing factory” means a place where meat is processed or is used in the production of any manufactured meat product or is so processed and used;

“processing” means the canning, cooking, curing, smoking, dehydrating, chilling, freezing or otherwise preparing food for commercial purposes.

Application

59. This Part shall apply only to such areas as the State Veterinary Authority may, by notification in the *Gazette*, direct.

Licensing of abattoir

60.—(1) No premises shall be used as an abattoir without a licence issued by the State Veterinary Authority. Such licence shall contain such conditions as the State Veterinary Authority may deem fit to impose.

(2) No licence shall be issued under subsection (1) unless the State Veterinary Authority is satisfied, after consulting the Controller of Environmental Quality that the abattoir to which the licence relates will have facilities or systems required for the treatment and disposal of wastes.

(3) Any person who contravenes subsection (1) shall be guilty of an offence: Penalty, a fine of ten thousand ringgit or imprisonment not exceeding one year or both such fine and imprisonment.

(4) The State Veterinary Authority may exempt any person from the requirement of subsection (1), if it is satisfied that the slaughter of any animal is carried out for religious or ceremonial purposes.

Power to provide abattoir

61. The State Veterinary Authority may provide or manage any premises to be used as a Government abattoir.

Prohibition of slaughtering animal other than at licensed abattoir or Government abattoir

62.—(1) No animal intended to be for sale or public consumption shall be slaughtered at any premises other than at a licensed abattoir or at a Government abattoir or at any other place approved by the State Veterinary Authority, and no person shall have in his possession or sell or possess for sale any meat of such an animal, unless the animal has been slaughtered at a licensed abattoir or at a Government abattoir or at any other place approved by the State Veterinary Authority:

Provided that nothing herein shall apply to the slaughter of any animal for religious or ceremonial purposes.

(2) Any person who contravenes subsection (1) shall be guilty of an offence: Penalty, a fine not exceeding ten thousand ringgit or imprisonment not exceeding one year or both such fine and imprisonment.

(3) The occupier of any premises in which any animal is slaughtered in contravention of subsection (1) shall be deemed to have slaughtered the animal, unless it is proved that the animal has been slaughtered without his knowledge and consent.

(4) Where provision has been made for the marking of the carcass of animals slaughtered at a licensed abattoir or at a Government abattoir or at any other place approved by the State Veterinary Authority to denote that the animals have been so slaughtered, any carcass or any part thereof which does not bear such an abattoir mark shall be presumed, until the contrary is proved, to have been slaughtered in contravention of subsection (1).

Power to refuse slaughter

63. The State Veterinary Authority may refuse to allow the slaughter, at a licensed abattoir or at a Government abattoir or at any other place approved by the State Veterinary Authority, of any animal or the dressing of any carcass which is diseased or, by reason of emaciation, is in the opinion of the State Veterinary Authority unfit for human consumption.

Ante mortem inspection of meat

64.—(1) All animals intended to be slaughtered for sale or public consumption must be examined by a meat inspector prior to the slaughter thereof. Such inspection shall be carried out at a licensed abattoir or at a Government abattoir or at any other place approved by the State Veterinary Authority wherein the animal is to be slaughtered.

(2) No animal shall be slaughtered for the purpose stipulated in subsection (1) unless—

(a) the animal has been certified by the meat inspector to be fit for human consumption; and

(b) the animal is slaughtered within twenty-four hours of such certification.

(3) No animal shall, prior to the slaughter thereof, be removed from the abattoir where the inspection or certification by the meat inspector takes place under this section, unless the written consent of the meat inspector is obtained.

Post mortem by meat inspector

65. No carcass or part thereof shall be removed from a licensed abattoir or Government abattoir or any other place approved by the State Veterinary Authority after the slaughter of the animal, until and unless a meat inspector has certified that such meat is fit for human consumption and may be sold to the public.

Specific offences

66. Any person who contravenes any of the provisions of section 64 or 65 shall be guilty of an offence: Penalty, a fine not exceeding ten thousand ringgit or imprisonment not exceeding one year or both such fine and imprisonment.

Offences as to marks and penalties

67. Any person who—

(a) marks the carcass or part of the carcass of any animal which was not slaughtered at a licensed abattoir or at a Government abattoir or at any other place approved by the State Veterinary Authority with any mark with the intention of causing it to be believed that the animal was slaughtered at such licensed abattoir or Government abattoir or any other approved place;

(b) makes or has in his possession any dye, plate or other instrument for the purpose of its being used or knowing or having reason to believe that it is intended to be used for the purpose of counterfeiting a licensed abattoir mark; or

(c) sells or exposes for sale or has in his possession for sale the carcass or part of the carcass of any animal bearing a mark intended to represent a licensed abattoir mark or so marked as to cause it to be believed that the animal was so slaughtered, but which was not slaughtered at a licensed abattoir unless he proves that he did not knowingly so sell or expose or have in his possession the carcass or part of a carcass,

shall be guilty of an offence: Penalty, a fine not exceeding ten thousand ringgit or imprisonment not exceeding one year or both such fine and imprisonment.

Special licence where animal cannot be taken to an abattoir

68.—(1) The State Veterinary Authority, if it is satisfied that—

(a) any animal, intended for sale or for human consumption, cannot be led, driven or transported to a licensed abattoir or a Government abattoir without danger to the public or to the person in charge of it or to itself; or

(b) any animal has been so injured for the slaughter of the animal at a place other than a licensed abattoir or a Government abattoir,

may grant a special licence for the slaughter of the animal at a place other than a licensed abattoir or a Government abattoir.

(2) Before granting such a special licence, the State Veterinary Authority may require the animal to be examined at the expense of the person applying for the licence.

(3) Every such special licence shall specify the time and place where the animal may be slaughtered and shall be subject to such conditions as may be imposed.

License for meat processing factory

69.—(1) No person shall operate a meat processing factory at any premises without a licence issued by the State Veterinary Authority.

(2) Any person who operates a meat processing factory in contravention of subsection (1) shall be guilty of an offence: Penalty, a fine not exceeding ten thousand ringgit or imprisonment not exceeding eighteen months or both such fine and imprisonment.

Power to close meat processing factory

70. Where the State Veterinary Authority finds that the condition in a meat processing factory is or may become dangerous to health or may hinder in any manner the suppression or control of disease, it may issue written directions, together with the reasons for such directions, requiring that the meat processing factory be closed for such period as the State Veterinary Authority may determine.

Powers of entry to meat processing factory

71.—(1) The State Veterinary Authority or any authorized person may at all reasonable times enter—

(a) any premises to ascertain whether it is being used as a meat processing factory;

(b) a meat processing factory to ascertain whether any offence under this Ordinance or any rules made thereunder has been or is being committed; or

(c) a meat processing factory and take or cause to be taken samples of meat, manufactured meat product or any ingredient used in the manufacture thereof to determine whether it is likely to cause illness or disease or is fit for human consumption.

(2) The State Veterinary Authority or any authorized person may seize any meat, manufactured meat product or ingredient used in the manufacture thereof which, in its opinion, as the result of examination of samples taken under subsection (1)(c), is likely to cause illness or disease or is unfit for human consumption. That meat, manufactured meat product or ingredient shall be destroyed in such manner as the State Veterinary Authority may determine and no compensation shall be payable in respect thereof.

Cleanliness of vehicles, equipment, etc.

72.—(1) Any person who uses a vehicle for the transportation of animal meat, meat product or ingredient used in the manufacture thereof, shall ensure that the surface of the vehicle with which the same is likely to come into contact, is kept in a state of cleanliness, good order and condition so as to prevent any risk of contamination of the animal meat, meat product or ingredient aforesaid.

(2) The State Veterinary Authority or any authorized person may, by notice in writing, require any person who uses a vehicle to transport animal meat, meat product or ingredient aforesaid, to install in or on the vehicle any device or equipment as it or he thinks fit to ensure that the meat, meat product or ingredient aforesaid carried in or on the vehicle will not be contaminated.

(3) Any person who fails to comply with the notice issued under subsection (2) shall be guilty of an offence: Penalty, a fine not exceeding two thousand ringgit.

PART VIII

PREVENTION OF CRUELTY TO ANIMALS

Penalty for cruelty to animals

73.—(1) Any person who—

(a) cruelly beats, kicks, ill-treats or tortures, any animal;

or

(b) causes or procures or, being the owner, permits any animal to be so used; or

(c) being in charge of any animal in confinement or in course of transport from one place to another, neglects to supply such animal with sufficient food or water; or

(d) by want only or unreasonably doing or omitting to do any act, causes any unnecessary pain or suffering, or being the owner, permits any unnecessary pain or suffering to any animal; or

(e) causes, procures or being the owner, permits to be confined, conveyed, lifted or carried any animal in such manner or position as to subject it to unnecessary pain or suffering; or

(f) employs or causes or procures or, being the owner, permits to be employed in any work or labour, any animal which in consequence of any disease, infirmity, wound or sore, or otherwise is unfit to be so employed; or

(g) causes, procures or assists at the fighting or baiting of any animal, or keeps, uses, manages, or acts or assists in the management of any premises or place for the purpose, or partly for the purpose, of fighting or baiting any animal, or permits any premises or place to be so kept, used or managed, or receives or causes or procures any person to receive, money for the admission of any person to such premises or place,

shall be guilty of an offence of cruelty to animals: Penalty, a fine not exceeding two thousand ringgit or imprisonment not exceeding six months or both such fine and imprisonment.

(2) For the purposes of this section, an owner shall be deemed to have permitted cruelty to animals if he fails to exercise reasonable care and supervision in respect of the protection of the animal:

Provided that where an owner is convicted of permitting cruelty to animals by reason only of his having failed to exercise such reasonable care and supervision, he shall not be liable to imprisonment without the option of a fine.

(3) Nothing in this section shall apply to the commission or omission of any act in the course of the slaughter or destruction, or the preparation for the slaughter or destruction, of any animal as food for mankind, unless such destruction or such preparation was accompanied by the infliction of unnecessary suffering.

(4) Notwithstanding subsection (1)(g), cock fighting may be permitted under a licence issued pursuant to rules made under section 102.

Power of arrest

74.—(1) The State Veterinary Authority, any police officer or authorized person, whether upon his own view thereof or upon the complaint and information of any other person, may arrest without warrant any person who it or he has reasonable ground to believe has committed any offence under section 73, and may seize any animal, vehicle or article in respect of or by which such offence has been committed.

(2) Any person so arrested and any vehicle or article so seized shall be taken to a police station.

(3) Any animal so seized shall be taken to a police station or a pound or a veterinary centre and may, subject to any order made in respect thereof by a Magistrate, be there detained until the accused has been tried.

Court order

75.—(1) Where any person has been convicted by a court of an offence under section 73, the court may order—

(a) that the animal in respect of which the offence was committed be taken to a veterinary centre and there detained and treated by the State Veterinary Authority for any period stated in such order, or until released by further order of the court or until the State Veterinary Authority has certified in writing that it may properly be released; or

(b) that the animal be treated by the State Veterinary Authority and shall not be used during such period as may be stated in such order or until permission to use it has been given by a Magistrate or the State Veterinary Authority; or

(c) that the animal, if it is incurably diseased or injured, be destroyed forthwith by or under the direction of the State Veterinary Authority or a police officer and that the cost of burying or otherwise disposing of the carcass be borne by the person convicted.

(2) If any animal is taken to a veterinary centre or treated by the State Veterinary Authority in accordance with an order under subsection (1), any person who has been convicted of an offence in respect of such animal shall be liable to pay the fees and expenses incurred for its maintenance and treatment until it is declared fit for release or use:

Provided that if the owner of such animal shall request in writing the officer in charge of the veterinary centre to destroy such animal and pay any fee that may be prescribed for the destruction or burial of such animal, such officer shall forthwith cause the animal to be destroyed, and no fee shall be payable in respect of the maintenance or treatment of such animal for any time subsequent to such request and payment.

(3) Any person who contravenes any order made under this section shall be liable to a fine not exceeding two thousand ringgit.

Power to destroy animals

76.—(1) The State Veterinary Authority or any authorized person, upon being satisfied himself by personal inspection—

(a) that an animal is diseased or injured and that the disease or injury from which the animal is suffering is incurable or that it is cruel to keep an animal alive;

(b) that an animal is so diseased or so severely injured or in such a physical condition that, in his opinion, having regard to the means available for removing the animal, there is no possibility of removing it without cruelty and that it is cruel to keep it alive, order the animal to be destroyed:

Provided that if such animal is in any house, stable, shed or enclosure proper for such animal and not in a street or other public place, no such order shall be made until the owner of the animal (if known) or person in charge (if any) has been duly notified of the conditions of the animal.

(2) If any animal is destroyed in pursuance of subsection (1), the expense of the removal and burial of the carcass of the animal shall be borne by the owner or person in charge thereof and the amount thereof may be recovered as a civil debt from such owner or person in charge.

No compensation for destruction of an animal incurably diseased or injured or destroyed at request of owner

77. No compensation shall in any case be payable to any person in respect of the destruction of any animal in pursuance of an order made under section 75(1)(c) or section 76(1) or in compliance with a request in writing to an officer in charge of a veterinary centre as provided in section 75(2) by any person professing to be the owner of such animal:

Provided that in the latter case, the officer in charge of a veterinary centre has reasonable grounds to believe that the person making the request was in fact the owner of the animal.

PART IX

LICENSING AND FEES

Licences, certificates and fees

78.—(1) Licences and certificates issued under this Ordinance shall be in the forms prescribed in the Second Schedule.

(2) The State Veterinary Authority may, with the approval of the Minister, by direction published in the *Gazette*, amend, vary or modify any of the forms prescribed in the Second Schedule.

Procedure for application

79. All applications for licences shall be made in the forms prescribed by the State Veterinary Authority and submitted to him or an authorized person, with such particulars as the State Veterinary Authority may require.

Duration of licences

80.—(1) A licence for livestock farm, abattoir and meat processing factory shall be for a period not exceeding twelve months, and may be renewed for such period not exceeding twelve months:

Provided that at the time of such renewal, there has not been any breach of any of the conditions imposed on the licence or any contravention of the provisions of this Ordinance.

(2) A licence to import or export animal, fish, animal or fish products shall be valid only for such period as may be specified therein:

[Am. Cap. A97.]

Provided that the State Veterinary Authority may for any special reason extend the period of validity of any licence by endorsement thereon for a period not exceeding sixty days.

Cancellation and suspension

81. Notwithstanding the provisions of section 80 or any other provisions to the contrary in this Ordinance, a licence or certificate issued under this Ordinance may be cancelled or withdrawn or suspended by the State Veterinary Authority, on any of the following grounds:

(a) the licence or certificate was obtained through fraud or misrepresentation; or

(b) the holder of the licence or certificate has committed a breach of any of the conditions or restrictions stipulated therein; or

(c) the holder of the licence or certificate has contravened any of the provisions of this Ordinance or has been convicted of an offence under this Ordinance.

Unauthorized alteration of licence

82. Any person who, without lawful authority, alters any licence or certificate issued under this Ordinance or knowingly makes use of any licence or certificate so altered shall be guilty of an offence: Penalty, a fine not exceeding two thousand five hundred ringgit.

Non-transferability of licence

83.—(1) A licence or certificate issued under this Ordinance shall not be transferred or assigned or sublet without the prior written permission of the State Veterinary Authority.

(2) Where a licence or certificate is issued to a company registered under the Companies Act 1965 [*Act 125*] or a firm registered under any law relating to the registration of firms or partnerships, the transfer of any controlling interests or shares in the company or firm, shall be deemed to be a transfer of the licence or certificate.

Certificate of State free from disease

84. The State Veterinary Authority may on payment of a prescribed fee issue to the exporter of any animal or fish, or its products a certificate stating that—

(a) the State is free from disease affecting certain types or classes of animal or fish, or its products; or

(b) the animal or fish, or its products to be exported is free from any infectious diseases or from any symptoms thereof.

[Am. Cap. A97.]

Fees

85.—(1) The fees payable for the issue or renewal of any licence or certificate and for any service rendered or facilities provided by the State Veterinary Authority are set out in the Third Schedule.

(2) The Majlis Mesyuarat Kerajaan Negeri may, by Order published in the *Gazette*, vary, modify or amend the Third Schedule.

(3) The State Veterinary Authority may, with the approval of the Minister, exempt any person from payment of any of the fees specified in the Third Schedule.

PART X
POWERS OF ENTRY, INVESTIGATION,
SEIZURE AND ARREST

Powers of entry and investigation

86.—(1) For the purpose of ascertaining whether any animal or fish is suffering from disease or for the purpose of ascertaining whether any offence against this Ordinance or any rule made thereunder has been or is being committed—

(a) the State Veterinary Authority or any authorized person or any police officer may enter and examine any land, building or premises on or in which it or he suspects any animal, fish or their products are being kept for the purpose of examining such animal, or fish or their products, land, building or premises as it or he may consider necessary and may make such investigation and inspection and call any person to produce such articles, books, accounts or other documents or things and to furnish any information as may be considered necessary for the purpose;

(b) the State Veterinary Authority or any authorized person, any police officer or any officer of customs may stop, enter and examine any vehicle or conveyance used for carrying the animals, or fish or their products.

[Am. Cap. A97.]

(2) Any person in charge of a vehicle who does not stop when he is required to do so under subsection (1)(b) shall be guilty of an offence.

Seizure of animal, fish, animal or fish and their products

87.—(1) Where the State Veterinary Authority or any authorized person or any police officer has reason to believe that any offence against this Ordinance or any rule made thereunder has been or is being committed or where any officer of customs has reason to believe that an offence against this Ordinance relating to the import or export of any animal, fish, animal or fish products or other articles has been or is being committed, the State Veterinary Authority or authorized person or any police officer or officer of customs, as the case may be, may seize any animal, fish, animal or fish products, vehicle, or any other articles, the subject matter of such offence and may remove such animal, fish, animal or fish products, vehicle or articles to any premises, enclosure or other place appointed by the State Veterinary Authority and there detain it.

[Am. Cap. A97.]

(2) Whenever any animal, fish, animal or fish products, vehicle or article has been seized and detained under subsection (1), the State Veterinary Authority or authorized person or any police officer or officer of customs, as the case may be, shall report the same to a Magistrate and the Magistrate may make such order for the further detention or destruction, or disposal or release of the animal, fish, animal or fish products, vehicle or article as he may think fit.

(3) The owner of such animal, fish, animal or fish products, vehicle or article shall pay such sum as the Magistrate may consider reasonable to cover the expenses connected with its removal to a place of detention and unless such sum be paid within a specified time such animal, fish, animal or fish products, vehicle or article shall be forfeited.

(4) Notwithstanding subsection (2), where a Magistrate is not immediately available and the carcass and products of any animal, or fish or article seized is subject to speedy and natural decay, the State Veterinary Authority or any authorized person, a police officer or officer of customs, as the case may be, may order that such property seized be disposed of in such manner as it or he shall think fit:

Provided that where the property seized has been sold by public auction, the proceeds of sale shall, after being applied to cover the costs of seizure, removal or detention or sale, be returned to the rightful owner or dealt with in such manner as the Magistrate may order.

[Am. Cap. A97.]

Power of arrest

88.—(1) The State Veterinary Authority or any authorized person, officer of customs or police officer may arrest without warrant any person whom he sees or finds committing or attempting to commit or whom he reasonably suspects of being engaged in committing or attempting to commit any offence against this Ordinance or rules made thereunder, if such person refuses to furnish his name and address or furnish him an address outside Malaysia or there are reasonable grounds for believing that he has furnished a false name or address or that he is likely to abscond.

(2) Every person so arrested shall be taken to a police station and shall thereafter be dealt with as provided by the law relating to criminal procedure for the time being in force.

PART XI

MISCELLANEOUS

Protection against legal proceeding

89. No action, suit, prosecution or other proceedings shall be brought or instituted personally against the State Veterinary Authority or any officer in respect of any act done or statement made *bona fide* in pursuance of the execution or intended execution of their duties and functions under this Ordinance or rules made thereunder.

Obstruction

90. Any person who obstructs or impedes or assists in obstructing or impeding the State Veterinary Authority or any authorized person or police officer or officer of customs in the exercise of his duty under this Ordinance or any rule or order made thereunder shall be guilty of an offence: Penalty, a fine not exceeding five thousand ringgit or imprisonment not exceeding six months or both such fine and imprisonment.

General penalty and offence by body corporate

91.—(1) Any person, other than a body corporate, but including a director or officer of a body corporate, who commits an offence under, or who fails to comply with, any of the provisions of this Ordinance or of any rule or order made thereunder in respect of which no penalty is expressly provided for, shall be liable, on conviction, to a fine not exceeding three thousand ringgit or to imprisonment for six months or to both such fine and imprisonment.

(2) A body corporate which commits an offence under, or fails to comply with, any of the provisions of this Ordinance or of any rule or order made thereunder in respect of which no penalty is expressly provided shall be liable on conviction to a fine not exceeding ten thousand ringgit.

(3) Where a person charged with an offence under any of the provisions of this Ordinance or of any rule or order made thereunder is a body corporate, every person who, at the time of the commission of such offence is a director or officer of such body corporate, may be charged jointly in the same proceedings with such body corporate, and where the body corporate is convicted of the offence charged, every such director or officer shall be deemed to be guilty of the offence unless he proves that the offence was committed without his knowledge or that he took reasonable precautions to prevent its commission.

(4) Any person who would have been liable under any of the provisions of this Ordinance or of any rule or order made thereunder to any penalty for anything done or omitted if such thing has been done or omitted by him personally, shall be liable to the same penalty, if such thing has been done or omitted by his partner, agent or servant, unless he proves that he took reasonable precautions to prevent the doing or omission of such thing.

Forfeiture

92.—(1) Whenever any person has been convicted of an offence against this Ordinance, the Court convicting such person may, in addition to or in lieu of imposing any other punishment, order that any animal, fish or their products, vehicle, conveyance or article in respect of which such offence has been committed or which was intended for use in the commission of the offence shall be forfeited.

[Am. Cap. A97.]

(2) When any animal, fish or their products, vehicle, conveyance or article has been seized under this Ordinance but the person who is alleged to have committed the offence is unknown or cannot be found, the Magistrate may, if it is proved to his satisfaction that an offence has been committed in respect of such animal, fish or their products, vehicle, conveyance or article, order that such animal, fish or their products, vehicle, conveyance or article be forfeited:

[Am. Cap. A97.]

Provided that no order of forfeiture shall be made in respect of a vehicle or conveyance unless the owner, if his name and place of residence be known, shall have had an opportunity of appearing to show cause why such order should not be made.

(3) Any animal, fish or their products, vehicle, conveyance or article forfeited under this Ordinance shall be disposed of in accordance with the directions of the Magistrate and proceeds of sale, if any, shall be kept for a period of three months and if at the expiration of three months there is no claim the proceeds may be credited to State revenue.

[Am. Cap. A97.]

Presumptions

93.—(1) Where the owner or person in charge of a diseased animal, fish or their products is charged with an offence against this Ordinance in respect of the disease, he shall be presumed to have known of the existence of such disease in such animal, fish or their products until he shows to the satisfaction of the court before which he is charged that he has no such knowledge and could not with reasonable diligence have obtained such knowledge.

(2) Where there is any doubt regarding the ownership of any animal, fish or their products, the person found in possession of such animal, fish or their products or the occupier of the premises frequented by it or any animal, fish or their products found therein may be presumed to be the owner thereof until the contrary is proved.

[Am. Cap. A97.]

Conduct of prosecution

94. Any prosecution in respect of an offence against this Ordinance may be conducted by the Public Prosecutor or any person duly authorized in writing by him under section 377(b) of the Criminal Procedure Code *[Act 593]*.

Legal representation

95. Where any action, suit, claim or proceedings is instituted, brought or proceeded with in any court against the State Veterinary Authority or any veterinary officer or veterinary surgeon in connection with anything done or duties executed by it or him under this Ordinance, it or he may be represented by—

(a) the State Attorney-General or any State Legal Officer authorized by him; or

(b) any advocate appointed by the State Veterinary Authority; or

(c) any public officer duly authorized by the State Veterinary Authority in writing.

Action to be at risk and expense of owner

96.—(1) Any action taken in compliance with the provisions of this Ordinance or of any order, rule or direction made or given thereunder in respect of any animal, fish or their products, article, building or conveyance, shall be at the risk of the owner thereof or the person having charged of the animal, fish or their products.

[Am. Cap. A97.]

(2) No liability shall attach to the State Veterinary Authority or authorized person or to any police officer or officer of customs in respect of any expense, loss, damage or delay arising in or from the lawful exercise of the powers conferred by this Ordinance.

Brands or other identification marks may be applied to animal or their products

97.—(1) The State Veterinary Authority may, if it deems it necessary for purpose of identification, brand, label or otherwise mark either permanently or temporarily any animal, fish or their products.

[Am. Cap. A97.]

(2) Any person who counterfeits, copies, alters, defaces or erases any brand or mark applied by the State Veterinary Authority, or is in possession of any article that may be used for such purpose shall be guilty of an offence: Penalty, a fine not exceeding five thousand ringgit or imprisonment not exceeding six months or both such fine and imprisonment.

Quarantine stations for animal or fish

98.—(1) The State Veterinary Authority may establish animal or fish quarantine stations. The location and name, if any, of any such quarantine stations shall be published in the *Gazette*.

(2) In addition to the animal or fish quarantine stations established or managed under subsection (1), the State Veterinary Authority may designate suitable places or premises to be used as temporary or emergency quarantine stations for animal or fish.

[Am. Cap. A97.]

Animal or fish in a quarantine station not deemed to have entered the State

99. For the purpose of this Ordinance and any rule or order made thereunder, any animal or fish brought to the State by land, sea or air, and entering any animal or fish quarantine station under the direction or order of the State Veterinary Authority shall not be deemed to have entered the State, but shall be subject to all relevant provisions of this Ordinance and any rule or order made thereunder.

[Am. Cap. A97.]

Import of noxious insects, pests or cultures

100.—(1) No person shall import into the State or have in his possession any living noxious insect, or any living pest, or any living disease germ or any virus or bacterial culture, of a nature harmful or dangerous to animals or fish without the prior written permission of the State Veterinary Authority.

[Am. Cap. A97.]

(2) Any person who contravenes subsection (1) shall be guilty of an offence: Penalty, a fine not exceeding five thousand ringgit.

Power to compound an offence

101. The State Veterinary Authority or any person authorized by it, by notification published in the *Gazette*, may compound any offence under this Ordinance or any rule made thereunder by accepting from the person reasonably suspected of having committed such offence, a sum of money not exceeding half of the maximum fine provided for the offence.

Power to make rules

102.—(1) The Majlis Mesyuarat Kerajaan Negeri may make rules for carrying out of the provisions of this Ordinance.

(2) Without prejudice to the generality of the powers conferred by subsection (1), the Majlis Mesyuarat Kerajaan Negeri may by rules make provision for—

(a) regulating the licensing of livestock farms, animal farms, pet shops, animal boards, kennels, catteries, veterinary clinics and other facilities for the treatment and care of animals or fish;

(b) regulating the measures and facilities to be installed or built in livestock farms for the treatment of wastes;

(c) regulating the use or application of veterinary drugs or other substances administered to or prescribed for animals or fish;

(d) regulating the import, manufacture, formulation, storage, sale and use of animal feeds;

(e) the licensing and control of any abattoir and meat processing factory;

(f) regulating procedures for the veterinary inspection of meat and other animal or fish products intended for sale for human consumption;

(g) regulating the landing and movement of animals imported for slaughter;

(h) prescribing the examination of animals or fish or their products on import, the test to be applied, and the measures to be taken;

(i) regulating the import or export of animals or fish and their products by land, sea or air;

(j) regulating vehicles carrying animals or fish or their products in quarantine;

(k) regulating the landing of animals or their products from vehicles;

(l) regulating and licensing of bird, meat, egg and dairy processing plant, packing, canning and storage plants, rendering plant and tanneries;

(m) the cleansing or disinfection of premises, sheds, places, vehicles or conveyances in which diseased animals or fish or carcasses have been kept or conveyed;

(n) the cleansing or disinfection of markets, premises or vehicle wherein any animal or fish has been kept or conveyed;

(o) the disinfection of contact or animals or fish which have been in an infected area;

(p) the disinfection of persons and the clothing of persons who have been in contact with or employed about diseased or suspected diseased animals or fish or their products or contacts;

(q) the seizure, disinfection and, if expedient, the destruction, with or without compensation, of carcass, litter, feeds or other articles which have been in contact with any diseased animal or fish, bird, or their products or which are reasonably suspected or being a source for spreading disease;

(r) the conditions and regulations under and in accordance with which dogs may be kept and the circumstances in which they may be destroyed or otherwise disposed of, and the manner in which licensing may be effected;

(s) the licensing, control, supervision and inspection of places in which animals or fish are or may be kept in captivity for sale, export or exhibition and such rules may—

(i) prescribe the conditions under which animals or fish may be so kept as aforesaid;

(ii) specify the production of the licences for inspection; and

(iii) prescribe the circumstances in which such licences may be revoked or suspended;

(t) regulating the management and treatment of any waste and waste water originating from livestock farms.

(u) the licensing, control, supervision and inspection of premises in which cultures, animal or fish products are or may be stored, kept or manufactured;

(v) the inspection of fish for the purpose of veterinary certification;

(w) the payment of fees and charges for anything to be done under this Ordinance;

(x) the procedure for compounding of offences;

(y) the management and maintenance of veterinary centre and animal or fish quarantine stations and the fees for quarantine of animal or fish in animal or fish quarantine stations, including charges or fees for transport of animals or fish to and fro the quarantine stations;

(z) the regulation and control of the research, use, import and export of genetic engineering materials in the breeding and propagation of animals or fish or in the manufacture of animal or fish feeds or for any other purpose which may affect veterinary public health;

[Am. Cap. A97.]

(za) the establishment, management and accounting of any fund for the benefit and welfare of the livestock farmers or for the livestock industry generally.

[Ins. Cap. A97.]

Repeal and saving

103.—(1) The Prevention of Cruelty to Animals Ordinance [*Cap. 140 (1958 Ed.)*], and the Natural Resources and Environment (Control of Livestock Pollution) Rules, 1996 [*Swk. L.N. 93/96*], are repealed.

(2) The Prevention of Cruelty to Animals (Cock Fighting) Rules, 1962 [*G.N.S. 65/62*], shall be repealed on the date of coming into force of the rules made under section 102 relating to cock fighting.

(3) The repeal of the Rules referred to in subsections (1) and (2) shall not invalidate, affect or prejudice any licence or permit issued or granted pursuant thereto.

FIRST SCHEDULE

(Section 35(10)(a))

LIST 1: DISEASES RELATED TO ANIMALS

1. African Horse Sickness.
2. Anthrax.
3. Avian Influenza.
4. Brucellosis.
5. Bovine Spongiform Encephalomyelitis.
6. Ebola Disease.
7. Foot-and-Mouth Disease.
8. Glanders.
9. Hanta Disease.
10. Hendra Disease.
11. Japanese Encephalitis.
12. Listeriosis.
13. Menangle Virus.
14. Meliodosis.
15. Nipah Virus Infection.
16. Rabies.
17. Rinderpest.
18. Schistomiasis.
19. Swine Fever.
20. Trichiniasis.
21. Tuberculosis, mammalian types.
22. Vibriosis.
23. Very velogenic Newcastle disease.
24. Pullorum disease.
25. Haemorrhagic septicaemia.

[Ins. Cap. A97.]

LIST 2: DISEASES RELATED TO FISH

1. Epizootic haematopoietic necrosis.
2. Infectious haematopoietic necrosis.

[Ins. Cap. A97.]

LIST 3: DISEASES RELATED TO CRUSTACEANS (PRAWNS)

1. White spot disease.
2. Yellowhead disease.

[Ins. Cap. A97.]

Sarawak Lawnet

SECOND SCHEDULE

(Section 78(1))

Form A

No.

THE VETERINARY PUBLIC HEALTH ORDINANCE, 1999

PERMIT TO IMPORT

(Section 9(1))

..... of
(address)

is authorized to import from into the State of Sarawak the quantity of animal/animal products or fish or fish products* described below through the following landing or entry point, namely: for the purpose of subject to the provisions of the Ordinance and to the conditions endorsed herein.

Items authorized to be imported

<i>Description</i>	<i>Number/Quantity</i>
Remarks	
Fee paid: RM	Receipt No.
Issued at this	day of

.....
*State Veterinary Authority,
Sarawak*

Note:

(1) Subject to paragraph (2), this licence is valid for a period of 60 days only from the date of issue, and must be produced to a veterinary officer or officer of customs at the place of landing or entry into the State specified above, of the said animal or animal products or fish or fish products.

(2) This licence shall be deemed to have been revoked after landing or entry of the said animal or animal products or fish or fish products stated above or after the expiry of 60 days from date of issue, whichever is earlier.

* Delete where inapplicable.

Form B

No.

THE VETERINARY PUBLIC HEALTH ORDINANCE, 1999

PERMIT TO EXPORT

(Section 17(1))

..... of
(address)

is authorized to export to the quantity of animal or animal products or fish or fish products specified below through the following port or exit point, namely:

.....
subject to the provisions of the Ordinance and to the conditions endorsed below.

Description

Number/Quantity

Fee paid: RM

Receipt No:

Issued at

this

day of

.....
*State Veterinary Authority,
Sarawak*

Note:

(1) Subject to paragraph (2), this licence is valid for a period of 60 days only from the date of issue, and must be produced to a veterinary officer or officer of customs at the port or exit point specified above at the time of export of the animals or their products or fish or fish products.

(2) This licence shall be deemed revoked upon the export of the said animal or animal products or fish or fish products or after the expiry of the said 60 days of the date of issue, whichever is earlier.

[Am. Cap. A97.]

Form C(1)

No.

THE VETERINARY PUBLIC HEALTH ORDINANCE, 1999

**CERTIFICATE OF HEALTH
FOR ANIMAL AND FISH**

(Section 84(b))

Pursuant to section 84(b) of the Veterinary Public Health Ordinance, 1999 of Sarawak, Malaysia [*Cap. 32*] and in accordance with the International Animal Health Code/International Aquatic Animal Health Code* published by the International Office of Epizootic, an agency of the World Health Organization, I certify that the animals/fish* described hereunder has/have* been examined by me and such examination:

- (a) of the animals/fish* as described below do/does* not show clinical sign of disease;
- (b) satisfies the following requirements, namely:

Description of animals/fish*:

Issued at _____ this _____ day of _____

.....
*State Veterinary Authority
Sarawak*

Fees paid vide

* Delete where inapplicable.

Form C(2)

No.

THE VETERINARY PUBLIC HEALTH ORDINANCE, 1999

**CERTIFICATE OF HEALTH
FOR ANIMAL PRODUCTS OR FISH PRODUCTS**

(Section 84(b))

Pursuant to section 84(b) of the Veterinary Public Health Ordinance, 1999 of Sarawak, Malaysia [*Cap. 32*] and in accordance with the International Animal Health Code/International Aquatic Animal Health Code* published by the International Office of Epizootic, an agency of the World Health Organization, I certify that the product(s) described hereunder has/have* been examined by me and such examination:

- (a) of the product(s) as described below do/does* not show clinical sign of disease;
- (b) satisfies the following requirements, namely:

Description of product(s):

Issued at this day of

.....
*State Veterinary Authority
Sarawak*

Fees paid vide

* *Delete where inapplicable.*

Form D

No.

THE VETERINARY PUBLIC HEALTH ORDINANCE, 1999

CERTIFICATE OF FREEDOM OF STATE FROM DISEASE

(Section 84(a))

This is to certify that the State of Sarawak is at the date hereof free from affecting the following type of animals or animal products or fish or fish products, namely:

Fee paid: RM

Receipt No.

Issued at

this

day of

.....
*State Veterinary Authority
Sarawak*

[Am. Cap. A97.]

Form E

No.

THE VETERINARY PUBLIC HEALTH ORDINANCE, 1999

PERMIT TO REMOVE ANIMAL OR FISH IN AN INFECTED AREA

(Section 36)

..... of
(address)

is authorized to remove the animals or fish specified hereunder into/out of the infected area, namely, subject to the conditions endorsed hereon:

Description

Number/Quantity

Fee paid: RM

Receipt No.:

Issued at

this

day of

.....
*State Veterinary Authority,
Sarawak*

[Am. Cap. A97.]

Form F

No.

THE VETERINARY PUBLIC HEALTH ORDINANCE, 1999

LICENCE FOR*

(Section 42/48/60/69/102*)

It is certified that

I.C. No: of
(address)

is licensed to
(purpose)

at the said
(address)

subject to the following conditions and restrictions:

.....
State Veterinary Authority,
Sarawak

Date of issue :

Date of expiry :

Fee paid :

* State the type of licence.

THIRD SCHEDULE

(Section 85)

SCALE OF FEES

(1)	Permit to export cattle or buffalo	RM	3.00 per head.
(2)	Permit to import cattle or buffalo	RM	5.00 per head.
(3)	Permit to import or export horses	RM	10.00 per head.
(4)	Permit to export sheep, goat or swine	RM	2.00 per head.
(5)	Permit to import sheep, goat or swine	RM	3.00 per head.
(6)	Permit to import or export terapin, frog, fox or fish	RM	10.00 per permit.
(7)	Permit to import or export dog or cat	RM	5.00 per head.
(8)	Permit to import or export any animal other than those specified in paragraphs (1) to (7)	RM	5.00 per head.
(9)	Permit to import or export birds:		
	(a) Ostrich	RM	5.00 per bird.
	(b) Fighting cock	RM	3.00 per bird.
	(c) Day old child or any other day old avian species	RM	5.00 per permit.
	(d) Live broiler chicken, duck or other meat bird	RM	10.00 per permit.
	(e) Other type of birds	RM	0.50 per bird (subject to a minimum of RM5.00 per permit).
(10)	Permit to import eggs	RM	10.00 per thousand eggs or part thereof.
(11)	Permit to import carcasses (including carcasses, etc., bones and hides),	RM	0.10 per kg of products covered by licence (subject to a minimum of RM10.00 per permit).
(12)	Permit to import or export processed livestock products	RM	10.00 per permit.

(13)	Permit to export carcasses of animals and birds	RM	10.00 per permit.
(14)	Permit to import or export veterinary biologics	RM	10.00 per permit.
(15)	Permit to import or export animal feeds	RM	10.00 per permit.
(16)	Permit to remove animal in an infected area	RM	5.00 per permit.
(17)	Certificate of health of animal or birds exported from the State—		
	(a) for sheep, goat or swine	RM	2.00 per head.
	(b) for every dogs or cats	RM	5.00 per head.
	(c) for live poultry, frog, terapin or fish	RM	10.00 per permit.
	(d) for every other animal	RM	3.00 per head.
	(e) for carcasses of animals and birds	RM	10.00 per permit.
(18)	Licence fees for—		
	(a) livestock farm	RM	50.00 per annum.
	(b) abattoir	RM	200.00 per annum.
	(c) meat processing factory	RM	200.00 per annum.
	(d) feed mill	RM	200.00 per annum.
	(e) special licence for slaughter of animals outside abattoir:		
	(i) cattle, buffalo, swine	RM	5.00 per head.
	(ii) sheep, goat, deer	RM	2.00 per head.
	(iii) any other animal	RM	3.00 per head.
(19)	Registration fees for veterinary biologics	RM	25.00 per preparation per annum.
(20)	For any other item not specified above	RM	10.00 per licence or permit.
(21)	Fees for renewal of licence or permit		as specified above for the issue or grant of each type of licence or permit.
(22)	Fees for replacement or duplicate licence or certificate or permit	RM	5.00 per copy.

LAWS OF SARAWAK

Chapter 32

VETERINARY PUBLIC HEALTH ORDINANCE, 1999

LIST OF AMENDMENTS

Amending Law	Short Title	In force from
Swk. L.N. 21/2000	Date of Commencement Notification	1.6.2000
Cap. A97	Veterinary Public Health (Amendment) Ordinance, 2002	1.6.2002

