



LAWS OF MALAYSIA

ONLINE VERSION OF UPDATED
TEXT OF REPRINT

Act 647

ANIMALS ACT 1953

As at 1 August 2013

ANIMALS ACT 1953

First enacted	1953 (Ord. No. 17 of 1953)
Revised	2006 (Act 647 w.e.f 16 March 2006)

LAWS OF MALAYSIA**Act 647****ANIMALS ACT 1953**

ARRANGEMENT OF SECTIONS

PART I**PRELIMINARY**

Section

1. Short title
2. Interpretation
3. Appointment of officers
4. Identification card to be produced

PART II**IMPORTATION AND EXPORTATION OF ANIMALS
AND BIRDS***Importation*

5. Power to make orders with regard to importation
6. No person to import any animal or bird without licence
- 6A. No person to import carcass, product of animals or birds, etc., without permit
7. Examination and detention of imported animals and birds
8. Arrival of animals to be reported
9. Importation of diseased animal or bird and contact
10. Dogs and cats on board ship
11. Destruction of injured animals or birds
12. Permission to land carcass
13. Destruction or disinfection of certain articles

Exportation

14. No person to export any animal or bird or its carcass without licence

Section

- 14A. No person to export carcass, product of animals or birds, etc., without permit
15. *(Deleted)*
16. Examination before exportation
17. Diseased animal or bird, or carcass, etc., not to be exported

PART III

PREVENTION OF THE SPREAD OF DISEASE

General

18. Examination for animals or birds suspected of disease
19. Destruction of diseased animal or bird
20. Compensation for any animal or bird destroyed
21. Post-mortem examination
22. Diseased and contact animals and birds
23. Disinfection of stables, etc.
24. Destruction of stables, etc.
25. Disinfection or destruction of articles
26. Disinfection of person and clothing
27. Disinfection of vehicles
28. Disposal of infected animal, bird or carcass
29. *(Deleted)*
30. Licences to possess culture or vaccine
31. Owner of diseased or dead animal or bird to report

*Special Provisions relating to Animals (other than
Dogs and Cats) and Birds*

32. Application
33. Disposal of dead animal or bird
34. Moving or disposal of diseased or suspected animals
35. Removal of articles from infected premises
36. Infected area, disease control area and disease eradication area
37. Special permits

Special Provisions relating to Dogs and in connection with Rabies

Section

- 38. Licensing
- 39. Rabies-infected areas
- 40. Destruction or detention of animal suspected to be infected with rabies
- 41. Detention of any dog that has bitten a person
- 42. Anti-rabies vaccination of dogs

PART IV

PREVENTION OF CRUELTY TO ANIMALS

- 43. Interpretation
- 44. Penalty for cruelty to animals
- 45. Power of veterinary authorities and police officers
- 46. Power of Town Board or Municipal Officers
- 47. Orders by a Magistrate when an offence has been committed
- 48. Power to order destruction of animals
- 49. No compensation for destruction of an animal incurably diseased or injured or destroyed at request of professed owner
- 50. Award to informer
- 50A. Animals and birds not to be kept in captivity for sale, export or exhibition without licence

PART V

CONSERVATION OF LIVESTOCK

- 51. Movement or slaughter of cattle, etc., may be prohibited
- 52. Publication of order in *Gazette*

PART VI

IMPROVEMENT OF LIVESTOCK

- 53. Application in States
- 54. (*Omitted*)

Section

- 55. Prohibition of possession of unsterilized bull
- 56. State Director may exempt
- 57. Register of stud bulls
- 58. Sale, death or transfer of a stud bull to be reported
- 59. Inspection of stud bulls
- 60. Notice to owner of stud bull
- 61. Licence to be produced on demand
- 62. Sterilization free of charge
- 63. Protection of officers
- 64. Sanction to prosecute
- 65. Burden of proof
- 66. Power to exempt

PART VII

ENFORCEMENT

- 67. Power to enter and search building, premises or land
- 67A. Power to stop and search conveyance
- 68. Power to seize, dispose and destroy animal or bird, or carcass, product of animals or birds, etc.
- 68A. Power to seal building, premises, etc.
- 68B. Power to temporarily return animal or bird, or carcass, product of animals or birds, etc., to the owner
- 69. Power to arrest
- 69A. Power of investigation
- 69B. Power to require attendance of person acquainted with case
- 69C. Examination of person acquainted with case
- 69D. Admission of statements in evidence
- 69E. Powers of enforcement officers

PART VIII

SUPPLEMENTAL

Section

- 70. Obstructing officers in the execution of their duties
- 71. Altering licences, permits or documents
- 72. General penalty
- 73. Penalty on second conviction
- 73A. Offences committed by the body corporate and by agents and servants
- 73B. Compounding of offences
- 73C. Jurisdiction to try offences
- 74. Forfeiture
- 74A. Carcass, etc., or any product of animals or birds, etc., seized in respect of which there is no prosecution
- 75. Presumptions
- 76. Prosecution
- 77. Expenses
- 78. Action to be at risk and expense of owner
- 79. Brands or other identification marks applied to animals, etc.
- 80. Quarantine stations for animals
- 81. By-laws for management of animal quarantine stations
- 82. Establishment of veterinary centres
- 83. Certificates of freedom of State from disease
- 84. Importation of noxious insects or pests
- 85. Animal or bird in a quarantine station not deemed to be entering Peninsular Malaysia
- 86. Power to make rules
- 87. Repeal

SCHEDULE

APPENDIX

LAWS OF MALAYSIA**Act 647****ANIMALS ACT 1953**

An Act to amend and consolidate the laws for preventing the introduction into, and the spreading within, Peninsular Malaysia of diseases of animals; for the control of the movement of animals into, within and from Peninsular Malaysia; for the control of the slaughter of animals; for the prevention of cruelty to animals; for measures pertaining to the general welfare, conservation and improvement of animals in Peninsular Malaysia; and for purposes connected therewith.

[30 April 1953]

PART I**PRELIMINARY****Short title**

1. This Act may be cited as the Animals Act 1953.

Interpretation

2. (1) In this Act, unless the context otherwise requires—

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

“animal” includes horses, cattle, sheep, goats, swine, dogs, cats and any four-footed beast kept in captivity or under control, of any age or sex;

“animal quarantine station” means a quarantine station established under section 80;

“bird” includes domestic fowls, ducks, geese, turkeys, guinea fowls and pigeons of any age or sex and their eggs;

“building” includes any house, hut, shed, stable or enclosure, whether roofed or not, used for sheltering or confining any animal or bird and any pen, cage, wall, gate, pillar, post, paling, frame, hoarding, fence, platform, roadway, path, steps, staging, slip, wharf, dock, piles, jetty, landing stage or bridge, or any structure connected with the foregoing;

“bull” means a male of any species of cattle;

“carcass” means the dead body of an animal 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 bird, separately or otherwise, or any portion thereof;

“cat” means a domesticated cat of any breed or sex;

“cattle” means bulls, cows, oxen, heifers and calves and includes buffaloes of any age or sex;

“contact” means any animal or bird which has by contact direct or indirect with a diseased animal or bird been exposed to the risk of contracting a disease;

“Director General” means the Director General of Veterinary Services appointed under section 3 and includes the Deputy Director General appointed under the same section;

“disease” means any disease infectious or contagious amongst animals or birds and includes anthrax, blackquarter, cattle plague (rinderpest), contagious pleuro-pneumonia, contagious abortion, tuberculosis, epizootic lymphangitis, foot and mouth disease, glanders and farcy, goat pox, haemorrhagic septicaemia, rabies, sheep pox, swine fever, swine erysipelas, trypanosomiasis, avian pneumoencephalitis (Ranikhet disease), bacillary white diarrhea (pullorum disease), fowl cholera, fowl plague, fowl pox, infectious laryngotracheitis and any other disease which the Minister may from

time to time, by notification in the *Gazette*, declare to be a disease* within the meaning of this Act;

“dog” means a domesticated dog of any breed or sex;

“enforcement officer” means an enforcement officer appointed under the Malaysian Quarantine and Inspection Services Act 2011 [Act 728];

“entry point” has the same meaning assigned to it under the Malaysian Quarantine and Inspection Services Act 2011;

“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);

“fodder” means any substance used for food of animals or birds;

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

“infected” means infected with any disease;

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

“MAQIS” means the Malaysian Quarantine and Inspection Services as provided under the Malaysian Quarantine and Inspection Services Act 2011;

“MAQIS Act” means the Malaysian Quarantine and Inspection Services Act 2011;

“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;

*NOTE — For other diseases declared by the Minister—see APPENDIX.

“Minister” means the Minister charged with the responsibility for animal husbandry;

“offence against this Act” means any contravention of or failure to comply with any of the provisions of this Act or of any order, rule or direction made or given under it;

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

“owner” includes any person for the time being in charge of any animal or bird and any person for the time being in occupation of any building;

“quarantine” means the compulsory detention in isolation of any animal, bird or thing;

“quarantine station” means any building or place where quarantine is carried out and includes an examination station or hulk, and for the purposes of conducting quarantine under MAQIS Act, has the same meaning assigned to it under the Act;

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

“State Director” means the State Director of Veterinary Services appointed under section 3;

“vaccine” includes any culture or living preparation of the causative agent of any disease;

“veterinary authority” means the Director General of Veterinary Services, the Deputy Director General of Veterinary Services and any State Director or Veterinary Services and any State Director of Veterinary Services, any Veterinary Officer, Deputy or Assistant Veterinary Officer and includes any person appointed in writing by the Director General of Veterinary Services, the Deputy Director General of Veterinary Services and any State Director of Veterinary Services, to be a veterinary authority under section 3;

“veterinary centre” has the meaning assigned to it in section 82;

“veterinary police officer” means any member of the Police Force acting under the direction of a veterinary authority

Appointment of officers

3. (1) The Yang di-Pertuan Agong may appoint an officer to be known as the Director General of Veterinary Services and an officer to be known as the Deputy Director General of Veterinary Services.

(2) The Ruler or Yang di-Pertua Negeri of a State may appoint a State Director of Veterinary Officer and as many Veterinary Officers, Deputy and Assistant Veterinary Officers as he may consider necessary for the purposes of this Act.

(3) The Director General of Veterinary Services, the Deputy Director General of Veterinary Services and any State Director of Veterinary Services may appoint any person in writing to be a veterinary authority for all the purposes of this Act or for such of the purposes of this Act as he shall specify in so appointing such person, and such person shall, for the purposes of this Act in respect of which he is so appointed, be deemed to be an officer appointed under this Act.

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

Identification card to be produced

4. (1) Every veterinary authority, officer of customs, veterinary police officer or police officer when exercising any powers under this Act 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 the Director General, the Director General of Customs or the Inspector General of Police respectively may direct to be carried by officers appointed under this Act, officer of customs or police officers.

(2) It shall not be an offence for any person to refuse to comply with any request, demand or order made or given by any officer appointed under this Act, or by any officer of customs or police officer not in uniform, who fails to declare his office and refuses to produce his identification card on demand being made by such person.

PART II

IMPORTATION AND EXPORTATION OF ANIMALS AND BIRDS

Importation

Power to make orders with regard to importation

5. (1) The Minister may make orders—

- (a) specifying the countries or the parts of any country from which animals and birds, or any specified kinds of animals or birds, may be imported, either with or without restriction; and
- (b) prohibiting, either absolutely or conditionally, the import from any specified country or any specified part of a country of any carcass, semen, fodder, litter, dung or any product of animals or birds or any article or substance that is likely to convey or spread disease.

(2) Any person who contravenes any order made under paragraph (1)(b) commits an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding two years or to both.

No person to import any animal or bird without licence

6. Except as specifically provided in any order made under paragraph 5(1)(a), no person shall import any animal or bird except

in accordance with a licence in that behalf issued by the Director General of Quarantine and Inspection under MAQIS Act.

No person to import carcass, product of animals or birds, etc., without permit

6A. Except as specifically provided in any order made under paragraph 5(1)(b), no person shall import any carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance that is likely to convey or spread disease except in accordance with a permit in that behalf issued by the Director General of Quarantine and Inspection under MAQIS Act.

Examination and detention of imported animals and birds

7. All animals and birds imported or about to be imported shall be examined by an enforcement officer at the entry points, quarantine stations or quarantine premises in accordance with MAQIS Act.

Arrival of animals to be reported

8. (1) The master of any ship or aircraft and the guard of any train on board of which there is any animal or bird, whether such animal or bird is intended to be landed in Peninsular Malaysia or not, shall immediately on the first arrival of the ship, aircraft or train at a port, airfield or station in Peninsular Malaysia report the fact to a Port Officer or the officer in charge of the airfield or the station master, as the case may be, who shall without delay inform the nearest MAQIS office.

(2) Any person who fails to comply with subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit.

Importation of diseased animal or bird and contact

9. (1) If any animal, bird or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance which has been or is about to be imported under section 6 or 6A is, in the opinion of an enforcement officer, infected with any disease or likely to have been in contact with any infected or diseased animal, bird or carcass or any other infected articles or materials, the enforcement officer may in his discretion either—

- (a) refuse to permit such animal, bird or carcass or any contacts thereof to be landed or removed;
- (b) cause such animal, bird or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance and any contacts thereof to be destroyed at once and the carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance to be disposed of in such manner as he may direct; or
- (c) cause such animal, bird or carcass and any contacts thereof to be detained in quarantine for such period as he may consider necessary.

(2) If any animal or bird or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance is destroyed under paragraph (1)(b) the expense of disposing it shall be payable by the owner or person in charge.

(3) No compensation shall be payable in respect of any animal or bird or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance destroyed under this section.

(4) For the purpose of paragraph (1)(b), the destruction and disposal shall be conducted without undue delay in accordance with the procedures prescribed under MAQIS Act.

Dogs and cats on board ship

10. (1) Any dog or cat imported by sea shall, unless an enforcement officer has authorized its landing, at all times while on board the ship in any port be confined in an enclosed part of the ship or in a cage or kennel.

(2) If any dog or cat dies or is lost from a ship in any port the master of the ship shall immediately notify the veterinary authority of such death or loss through the MAQIS office.

(3) The master of any ship who contravenes subsection (1) or (2) commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit.

Destruction of injured animals or birds

11. (1) If any animal or bird examined by an enforcement officer for the purposes of importation is found to be suffering from injury which in the opinion of the enforcement officer cannot be relieved, the enforcement officer may cause such animal or bird to be destroyed at once and its carcass to be disposed of in such manner as he may direct.

(1A) The destruction and disposal under subsection (1) shall be conducted without undue delay and in accordance with the procedures prescribed under MAQIS Act.

(2) If any animal or bird is destroyed under this section the expense of disposing of the carcass of any animal or bird shall be payable by the owner or person in charge.

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

Permission to land carcass

12. (1) No person shall land from any ship or remove from any aircraft, train or vehicle the carcass of any animal or bird without the written permission of an enforcement officer who shall give directions as to the manner of its disposal.

(2) Any person who contravenes subsection (1) or fails to comply with any direction given by an enforcement officer as to the manner of disposal of carcass commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit.

Destruction or disinfection of certain articles

13. (1) Whenever it appears to an enforcement officer that any bedding, litter, fodder, dung, semen, personal belongings or other substance or material imported by land, sea or air may convey or spread disease, he may seize and detain the same and at his discretion may order its or their destruction or disinfection.

(2) The destruction and disinfection under subsection (1) shall be conducted without undue delay and in accordance with the procedures prescribed under MAQIS Act.

No person to export any animal or bird or its carcass without licence

14. No person shall export any animal, bird or its carcass except in accordance with a licence in that behalf issued by the Director General of Quarantine and Inspection under MAQIS Act.

No person to export carcass, product of animals or birds, etc., without permit

14A. No person shall export any carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance that is likely to convey or spread disease except in accordance with a permit

in that behalf issued by the Director General of Quarantine and Inspection under MAQIS Act.

15. (*Deleted by Act A1452*).

Examination before exportation

16. Every animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance which is about to be exported may be required to undergo an examination by a veterinary authority at such place as the veterinary authority may appoint.

Diseased animal or bird, or carcass, etc., not to be exported

17. Upon the examination by a veterinary authority as required under section 16, if any animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance which is about to be exported is in the opinion of the veterinary authority to be infected with any disease or likely to have been in contact with any infected or diseased animal, bird or carcass or any other infected articles or materials, the veterinary authority may refuse to permit such animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance thereof to be exported.

PART III

PREVENTION OF THE SPREAD OF DISEASE

General

Examination for animals or birds suspected of disease

18. (1) If a veterinary authority has reason to believe that any animal, bird or carcass may be infected with any disease, he may

subject such animal, bird or carcass to such examination or test as he may consider necessary, and for the purposes of such examination or test may take blood, milk, urine, or any other substance from such animal, bird or carcass.

(2) For the purpose of carrying out any examination or test under subsection (1) the veterinary authority may order that the animal, bird or carcass be delivered to him at a specified place and time, and no such animal, bird or carcass shall be removed from such place without the permission of the veterinary authority:

Provided that no person shall be required to deliver any animal, bird or carcass at any place more than three miles from the place at which such animal is kept.

(3) Any person who fails to comply with any order made under subsection (2) commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit.

Destruction of diseased animal or bird

19. A veterinary authority may order the immediate isolation or destruction of any animal, bird or carcass found or reasonably believed to be infected with disease or suspected to have been in contact with a diseased animal or bird, or infected carcass or material, whether as a result of examination or test made under section 18 or otherwise.

Compensation for any animal or bird destroyed

20. (1) No compensation shall be payable in respect of any animal, bird or carcass infected with disease and destroyed by order of any veterinary authority.

(2) There shall be payable as compensation to the owner in respect of any animal, bird or carcass reasonably believed to be infected with disease which has been destroyed by order of any

veterinary authority such sum as may be assessed by the State Director and approved by the Chief Minister of the State.

Post-mortem examination

21. (1) A veterinary authority may conduct a post-mortem examination of the carcass of any animal or bird and may remove such portions of the carcass as he may deem necessary for laboratory examination, and for the purposes of such examination may order that the carcass be delivered to him at such place and time as he shall specify.

(2) A veterinary authority may order the carcass of an animal or bird which has been buried to be exhumed for the purpose of such post-mortem examination.

(3) Any person who fails to comply with any order made under subsection (1) or (2) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit.

Diseased and contact animals and birds

22. (1) If a veterinary authority considers that any animal or bird has been exposed to infection with any disease he may order that such animal or bird be subjected to such prophylactic or curative treatment, including virus, vaccine, or serum therapy, or any such combination thereof as he may think necessary.

(2) Any person who fails to comply with any order made under subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit.

Disinfection of stables, etc.

23. (1) A veterinary authority may order any stable, shed, pen, cage or other place in which an infected animal or bird 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 stable, shed, pen, cage or place for the keeping of any animal or bird until such disinfection has been completed.

(2) Any person who fails to comply with any order made under subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit.

Destruction of stables, etc.

24. (1) If a veterinary authority is of the opinion that any stable, shed, pen, cage or other place which has been occupied by an infected animal cannot be effectively disinfected, he may order the owner or occupier thereof, within a time specified in such order to destroy such stable, shed, pen, cage or place and to burn the materials thereof.

(2) If an order made under subsection (1) is not complied with within the specified time the veterinary authority may cause such stable, shed, pen, cage or place to be destroyed and the materials to be burned.

(3) The veterinary authority shall make a report to the Chief Minister of the State upon every order made under this section and the Chief Minister may in his discretion give or withhold compensation for any stable, shed, pen, cage or place so destroyed.

(4) Any person who fails to comply with any order made under subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit.

Disinfection or destruction of articles

25. (1) A veterinary authority may order the disinfection or destruction of any bedding, clothing, harness, fittings, buckets, pails or utensils whatsoever used in connection with any infected animal or bird, and compensation to be assessed by the veterinary authority shall be payable for any articles so destroyed.

(2) Any person who fails to comply with any order made under subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit.

Disinfection of person and clothing

26. (1) A 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 or bird infected with or reasonably believed to be infected with disease.

(2) Any person who fails to comply with any order made under subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit.

Disinfection of vehicles

27. (1) A veterinary authority may order the disinfection of any vehicle or conveyance entering or leaving an area declared to be an infected area under section 36, or which has been used in the transport of any animal or bird infected with or reasonably believed to be infected with disease.

(2) Any person who fails to comply with any order made under subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit.

Disposal of infected animal, bird or carcass

28. (1) No person shall knowingly cast or cause or permit to be cast into any drain, ditch, water channel, street or open space, or otherwise expose any animal or bird or the carcass of any animal or bird which is or has been infected with disease or any fodder, litter, dung or thing which has been used in connection with any infected animal or bird.

(2) Any person who contravenes subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit.

29. (Deleted by Act 147).

Licences to possess culture or vaccine

30. (1) The Director General may issue licences permitting the holder of such a licence to possess live cultures or vaccines and to inoculate animals or birds with such culture or vaccine.

(2) No person other than a veterinary authority or registered medical practitioner for the *bona fide* purpose of his profession shall have in his possession any such culture or vaccine or shall inoculate any animal or bird with such culture or vaccine unless licensed in that behalf.

(3) Any person who—

- (a) has in his possession any culture or vaccine contrary to this section commits an offence and shall, on conviction, be liable to a fine not exceeding twenty thousand ringgit; and
- (b) inoculates any animal or bird contrary to this section commits an offence and shall, on conviction, be liable to a fine not exceeding twenty thousand ringgit or to imprisonment for a term not exceeding one year or to both.

Owner of diseased or dead animal or bird to report

31. (1) Every owner or person in charge of any animal or bird infected with or reasonably suspected to be infected with disease shall immediately make a report to a veterinary authority or to the nearest Police Station, penghulu or penggawa and shall at once cause such animal or bird and all other animals and birds which have been in contact with it to be confined and isolated until the arrival of a veterinary authority.

(2) Every owner or person in charge of any animal or bird reasonably suspected to have died of disease shall immediately report such death to the veterinary authority or the nearest Police Station, penghulu or penggawa and, in the case of an animal, the carcass shall not be moved without permission from the veterinary authority or officer in charge of such Police Station:

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

(3) The officer in charge of a Police Station, a penghulu or penggawa who receives a report made under subsection (1) or (2) shall immediately forward, by telephone or telegram where possible, any such report to the nearest veterinary authority, confirming such report by a written communication to the State Director.

(4) Any person who—

- (a) fails to make a report as is required under this section commits an offence and shall, on conviction, be liable to a fine not exceeding twenty-five thousand ringgit;
- (b) fails to cause any animal or bird to be confined and isolated as is required under subsection (1) or permits the carcass of an animal to be moved contrary to subsection (2) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit.

*Special Provisions relating to Animals (other than
Dogs and Cats) and Birds*

Application

32. Sections 33 to 37 shall not apply to dogs and cats.

Disposal of dead animal or bird

33. (1) The owner or person in charge of any animal or bird that has died from disease or has been destroyed by order of a veterinary authority shall burn or otherwise dispose of the carcass as the veterinary authority may direct.

(2) Any person who fails to comply with any direction given under subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit.

Moving or disposal of diseased or suspected animals

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

(2) Any person who contravenes subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit.

Removal of articles from infected premises

35. (1) A veterinary authority may by order prohibit the removal of milk, manure, fodder, litter or other articles likely to carry or convey infection from premises on which there is or recently has been, any animal or bird infected with disease.

(2) Any person who fails to comply with an order made under subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit.

Infected area, disease control area and disease eradication area

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

- (a) any disease exists amongst any animals or birds in any State or part of a State;
- (b) any disease is likely to be introduced into any State or part of a State; or
- (c) it is desired to control or eradicate any disease from any State or part of a State,

the Chief Minister may issue an order declaring such State or part of a 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, bird or carcass of any animal or bird;
- (ii) prohibit either absolutely or conditionally the slaughter of any animal or bird within such area;
- (iii) prohibit either totally or conditionally the sale of any carcass within such area;
- (iv) prohibit the keeping of carcass or the keeping or rearing of any animal or bird within such area;
- (v) impose conditions as to the cleansing and disinfection of market places, slaughter houses, abattoirs or any other places, or of baskets, crates, lorries and any other container or vehicle in which animals or birds have been kept or carried;
- (vi) require the production of animals or birds for examination (including the taking of blood, milk, urine or other substance from such animals or birds), vaccination and the tattooing or otherwise marking of such animals or birds;

- (vii) prohibit the keeping or rearing of any animal or bird in the whole or part of the area;
- (viii) notwithstanding any other provisions of this Act or regulations made under it, withdraw any licence or permit for the importation of any animal, bird or carcass issued under this Act or impose any further conditions on such licences or permits;
- (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.

(2) Subject to subsection (1) when an area has been declared to be an infected area, a disease control area or a disease eradication area the State Director 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 birds or to carry out other prophylactic measures or the tattooing or otherwise marking of animals 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 bird failing to comply with such order the State Director may take such steps as are necessary to effectively isolate or segregate such animal or bird and all expenses incurred thereby shall be recoverable from the owner or person in charge or both.

(3) Every order made under subsection (1) or (2) shall be published in the State *Gazette*, but shall come into operation immediately upon the making of the order.

(4) Any animal or bird found straying within an infected area, a disease control area or a disease eradication area in contravention of an order given under subsection (1) or (2) may be destroyed immediately by a veterinary authority or may be dealt with in accordance with section 68 of this Act .

(5) Any animal, bird or carcass which is slaughtered, moved or offered for sale or sold in contravention of an order given under subsection (1) or (2) may be ordered by a veterinary authority to be destroyed immediately or may be dealt with in accordance with section 68 of this Act .

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

(7) Any person who fails to comply with any order made under subsection (1) or (2) commits an offence and shall, on conviction, be liable to a fine not exceeding fifteen thousand ringgit.

(8) No compensation shall be payable for any animal, bird or carcass destroyed or seized under this section.

Special permits

37. The State Director may grant, subject to such conditions as he may consider advisable, permission to the owner of any animal or bird to remove it into or out of any infected area.

Special Provisions relating to Dogs and in connection with Rabies

Licensing

38. (1) No person shall own, keep, harbour or maintain any dog that is over three months old unless such dog is licensed.

(2) Dogs shall be licensed only in the manner prescribed before 31 January each year or on reaching the age of three months or within fourteen days after arrival in Peninsular Malaysia or within fourteen days of the cancellation of an Anti-rabies Vaccination Order made under section 42, whichever is the later, and such licence shall remain

in force until 31 December of the year in respect of which such licensing was effected.

(3) Dogs may be licensed at any Post Office in the State in which they are normally kept or at such other places as may be prescribed.

(4) The Minister may prescribe the fee for the licensing of a dog.

(5) On receipt of the prescribed fee the licensing authority shall supply the owner of the dog with a serially numbered metal badge.

(6) The owner of every licensed dog shall provide a collar to which the badge issued in accordance with subsection (5) shall be securely fastened in such a manner as to be clearly visible when worn, and such collar and badge shall be continually worn by such licensed dog when out-of-doors, and any dog found out-of-doors and not wearing such collar and badge may be destroyed.

(7) (a) The proper authority may authorize in writing persons to destroy dogs in accordance with subsection (6) and such persons may enter upon and into any place, not being a dwelling house, for the purpose of enforcing that subsection:

Provided that such person shall, if so required, produce and show his written authority to the owner, occupier or person for the time being in charge of such place.

(b) In this subsection the 'proper authority' means a State Director, Mayor of a City Council or City Hall, President of a District Council or Local Authority, General Manager of a Town Board or the Chief Police Officer of a State.

(8) Any person who contravenes subsection (1) or (6) commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit.

(9) The Ruler in Council or the Yang di-Pertua Negeri in Council in a State may by order declare that subsection (1) shall not apply within any specified part of such State or may exempt any person or any class of persons either from licensing any dog which is required

by this section to be licensed or from the payment of all or any part of the fee payable in respect of such licensing.

- (10) This section shall not apply to any dog—
- (a) within any State or any part of it for so long as an Anti-rabies Vaccination Order made under section 42 is in force within such State or any part of it; or
 - (b) which is liable to be or has been registered or licensed in accordance with any other written law.

Rabies-infected areas

39. (1) The Chief Minister in a State may at any time as a precaution against rabies by order declare such State or any part of it specified in such order to be a rabies-infected area.

(2) Every order made under subsection (1) shall be published in the appropriate State *Gazette* but shall come into operation immediately upon the making of the order.

(3) No person shall take any dog out of a rabies-infected area or out of any State of which any part is a rabies-infected area except in accordance with a written permit issued by the State Director.

(4) 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—

- (a) by confining it within an enclosed area from which it is impossible for the dog to escape;
- (b) by tying it up securely; or
- (c) by 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 Director, if he is satisfied that any class of dogs, whether by reason of prophylactic treatment or otherwise, is immune from infection by rabies, may exempt such class of dogs from the requirements of this subsection subject to such conditions as he may think fit.

(5) Any dog found within a rabies-infected area which is not under effective control in accordance with subsection (4) may be destroyed by any person authorized in writing in that behalf by the State Director or the Chief Police Officer of a State, 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) Any person who—

- (a) contravenes subsection (3) commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit or to imprisonment for a term not exceeding three months; and
- (b) contravenes subsection (4) commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit.

Destruction or detention of animal suspected to be infected with rabies

40. (1) Whenever a veterinary authority reasonably suspects that any animal may be infected with rabies or has been exposed to rabies infection he may in his discretion either cause the animal to be

destroyed immediately or may order the owner or person in charge of such animal to take it immediately 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 veterinary authority may immediately 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) A 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 he may think fit.

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

(6) Any person who fails to comply with any order made under subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit.

(7) For the purposes of this section “animal” means any four-footed beast in captivity or under control.

Detention of any dog that has bitten a person

41. (1) A veterinary authority or a police officer not below the rank of Inspector 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 him for examination, and he may detain the dog at such place and for such time as he may deem advisable. If the owner or person in charge of such dog fails to comply with such order, the veterinary authority or police officer may immediately take possession of the dog and remove it to an animal quarantine station.

(2) Any person who fails to comply with any order made under subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit.

Anti-rabies vaccination of dogs

42. (1) The Chief Minister in a State, whenever it appears to him to be expedient, may make an order (in this section referred to as an 'Anti-rabies Vaccination Order') that all dogs within such State, or any part of it specified in such order, shall be submitted to antirabies vaccination, and may at any time cancel any such order.

(2) Every Anti-rabies Vaccination Order and its cancellation shall be published in the appropriate State *Gazette*.

(3) Every Anti-rabies Vaccination Order shall remain in force until 31 December of the year in which the order was made or until its cancellation, whichever period shall be the shorter, but without prejudice to the making of a further Anti-rabies Vaccination Order to take effect upon the expiry of the period.

(4) Whenever an Anti-rabies Vaccination Order has been made the State Director may specify periods of time within which, and the places at which, dogs, or groups of dogs, shall be produced for the purposes of such vaccination.

(5) All such arrangements for vaccination of dogs shall be published in the appropriate State *Gazette* and also in such other manner as the State Director may consider necessary.

(6) (a) The State Director may by notification in the *Gazette* require that every dog which has been vaccinated in accordance with an Anti-rabies Vaccination Order shall, after such date as may be specified in such notification, at all times during the continuance in force of the Order and within the area to which the 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 in the notification, whether at large or not, which does not carry the proper evidence of vaccination may be destroyed.

(b) The proper 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 this subsection:

Provided that such person—

- (i) shall not enter into any dwelling 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.

(c) In this subsection the ‘proper authority’ means the State Director, Mayor of a City Council or City Hall, President of a Municipal Council, District Council or Local Authority, General Manager of a Town Board or the Chief Police Officer of a State.

(7) 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 (4), the veterinary authority may immediately destroy such dog.

(8) Any owner or person in charge of a dog who fails to comply with any order made or any direction given under subsection (1) or (4) commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit.

(9) The Minister may prescribe the fee for the vaccination of a dog:

Provided that no person shall be liable to pay any fee for the vaccination of any dog which at the date of such vaccination has already been licensed in accordance with section 38 or has been registered or licensed in accordance with any written law in force in a Municipality.

(10) The Ruler in Council or the Yang di-Pertua Negeri in Council in a State may by order exempt any person or class of persons from

the payment of all or any part of the fee payable in respect of the vaccination of any dog.

(11) Any dog which has been vaccinated in any year in accordance with an Anti-rabies Vaccination Order and is carrying the proper evidence of vaccination shall be deemed to be licensed under this Act, and to be registered or licensed under or in accordance with any other written law, until 31 December of such year.

PART IV

PREVENTION OF CRUELTY TO ANIMALS

Interpretation

43. In this Part, unless the context otherwise requires—

“animal” means any living creature other than a human being and includes any beast, bird, fish, reptile or insect, whether wild or tame.

Penalty for cruelty to animals

44. (1) Any person who—

- (a) cruelly beats, kicks, ill-treats, overrides, overdrives, overloads, tortures, infuriates or terrifies any animal;
- (b) causes or procures or, being the owner, permits any animal to be so used;
- (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;
- (d) by wantonly 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;

- (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;
- (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, managed or used, or receives or causes or procures any person to receive, money for the admission of any person to such premises or place,

commits an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding one year or to both.

(2) For the purposes of this section an owner shall be deemed to have permitted cruelty within the meaning of this Part if he shall have failed to exercise reasonable care and supervision in respect of the protection of the animal from cruelty:

Provided that where an owner is convicted of permitting cruelty within the meaning of this Act by reason only of his having failed to exercise such 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 destruction, or the preparation for destruction, of any animal as food for mankind, unless such destruction or such preparation was accompanied by the infliction of unnecessary suffering.

(4) Notwithstanding paragraph (1)(g) the Chief Minister in a State may by written permit authorize the wrestling of bulls in such State, subject to such conditions as may be specified in the permit either on a special occasion of public interest or if he is satisfied that such wrestling is beneficial to the breed and, in either case, that no cruelty to any animal will arise from such wrestling, and where such wrestling is conducted in accordance with the conditions of such permit paragraph (1)(g) shall be deemed not to apply to such wrestling.

Power of veterinary authorities and police officers

45. (1) Any veterinary authority and any police officer may arrest without warrant any person whom he sees committing any offence under section 44, and may seize any animal in respect of which and any conveyance or article with or by means of which such offence has been committed.

(2) Any person so arrested and any conveyance or article so seized shall be immediately 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 be dealt with according to subsection 68(2) of this Act.

(4) Any such officer may stop in any street or public place and examine any animal in respect of which he has reason to believe that an offence has been or is being committed under section 44.

Power of Town Board or Municipal Officers

46. Within any town or Municipal limits the powers given by section 45 to veterinary authorities and police officers may be exercised by any officer appointed in that behalf by the Mayor of a City Council or City Hall, President of a Municipal Council, District Council or Local Authority or General Manager of a Town Council or Town Board, as the case may be.

Orders by a Magistrate when an offence has been committed

47. (1) When any person has been convicted by a Magistrate of an offence under section 44, the Magistrate 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 a veterinary authority for any period stated in such order, or until released by further order of a Magistrate or until a veterinary authority not below the rank of Assistant Veterinary Officer has certified in writing that it may properly be released;
- (b) that the animal be treated by a veterinary authority and not used during such period as may be stated in such order or until permission to use it has been given by a Magistrate or a veterinary authority not below the rank of Assistant Veterinary Officer; or
- (c) may, if satisfied that the animal is incurably diseased or injured, order that such animal be destroyed immediately by or under the direction of a police officer or veterinary authority 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 a 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 prescribed fees for its maintenance and treatment until it shall be 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 shall pay to such officer any fee that may be prescribed for the destruction or burial of such animal, such officer shall immediately 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 fails to comply with any order made under subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit.

Power to order destruction of animals

48. (1) A Magistrate, Government Medical Officer, or veterinary authority not below the rank of Assistant Veterinary Officer or police officer not below the rank of Inspector who has 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 the animal alive; or
- (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,

may by order in writing direct that such animal be destroyed, and such order may immediately be carried out by or under the direction of such officer or of any police officer:

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

(2) If any animal is destroyed in pursuance of an order made under this section the expense of the removal and burial of the carcass of the animal shall be paid by the owner or person in charge and the amount may be recovered from such owner or person in charge in a summary manner before a Magistrate.

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

49. 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 paragraph 47(1)(c) or subsection 48(1) or in compliance with a request in writing to an officer in charge of a veterinary centre as provided in subsection 47(2) by any person professing to be the owner of such animal:

Provided that in the last case the officer in charge of the veterinary centre in good faith believed that the person making the request was in fact the owner.

Award to informer

50. (1) The Court by which any fine is imposed under this Part of this Act may award any portion not being more than half to the informer.

(2) Subject to such award, every fine imposed under this Act in respect of any offence committed within the limits of any Municipality shall be paid to the Councillors, to be applied by them for the purposes of any Municipal Ordinance for the time being in force.

Animals and birds not to be kept in captivity for sale, export or exhibition without licence

50A. (1) No person shall keep in captivity for sale, export or exhibition any animal or bird in any place which is not licensed in that behalf in accordance with rules made under this Act:

Provided that this section shall not apply except in such areas as shall be prescribed by such rules.

(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 for a term not exceeding six months or to both.

PART V

CONSERVATION OF LIVESTOCK

Movement or slaughter of cattle, etc., may be prohibited

51. (1) The Chief Minister of a State may by order—

- (a) prohibit for such period as may be specified in the order the movement of any cattle and swine or any specified class of cattle and swine from such State to any other State or from part of such State to any other part of such State or to any other State except under licence;
- (b) prohibit during such period or periods as may be specified in the order the slaughter in such State of any cattle, sheep, goats, swine or poultry or any specified class of them except under licence;
- (c) prescribe fees and procedures for obtaining such licences.

(2) A licence issued under any order made under subsection (1) shall be subject to such conditions as may be imposed by such order or by the person authorized to issue the licence by order made under subsection (1).

(3) Any person who contravenes any order made under subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding fifteen thousand ringgit.

Publication of order in *Gazette*

52. Any order made under section 51 shall be published in the appropriate State *Gazette*.

PART VI

IMPROVEMENT OF LIVESTOCK

Application in States

53. This Part shall be in force in the States of Kedah and Kelantan, but save as aforesaid this Part shall not extend to any State or any part of it unless a resolution has been passed by the Council of State that it is expedient that such provisions should apply in such State or such part of it, as the case may be.

54. *(Omitted).*

Prohibition of possession of unsterilized bull

55. (1) Subject to section 56 no person shall have in his possession or under his control any bull over fifteen months of age unless such bull shall have been sterilized in a manner approved by a State Director.

(2) Any person who contravenes subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding fifteen thousand ringgit.

State Director may exempt

56. (1) The State Director on application being made to him in writing by the owner of any bull and on the bull being produced at such place as the State Director may direct, may grant an exemption from section 55 in respect of any bull which he considers suitable for breeding purposes. Such application shall contain a full description of the animal and shall state its age, the place where it is usually kept and any other particulars that may from time to time be prescribed.

(2) The State Director shall not grant an exemption under subsection (1) in respect of any bull which appears to him—

- (a) to be likely to beget defective or inferior progeny; or
- (b) to be infected with any contagious or infectious disease.

(3) The powers and duties of the State Director under this section may be exercised and performed by any person duly authorized by him in that behalf.

Register of stud bulls

57. The State Director shall keep a register of bulls in respect of which exemptions have been granted under section 56 (hereinafter called “stud bulls”), and shall enter therein a description of every such animal together with the name of the owner and his place of residence, and shall issue to the owner, free of charge, a copy of the entry in such register (hereinafter referred to as “a licence”).

Sale, death or transfer of a stud bull to be reported

58. (1) Without prejudice to any other written law, the owner of a stud bull shall report to a penghulu or penggawa or to a veterinary authority the sale, death or transfer of a stud bull within one month of such sale, death or transfer, and shall produce the licence issued under section 57. The State Director shall record such sale, death or transfer in the register and upon the licence.

(2) It shall be the duty of a penghulu or penggawa receiving information under subsection (1) to report it as soon as possible to a veterinary authority.

(3) Any person who fails to make any report required to be made under this section or fails to produce a licence as required by this section commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit.

Inspection of stud bulls

59. (1) The State Director may at any time require the owner of a stud bull to produce such bull for inspection and may, at his discretion, withdraw the exemption granted in respect of such bull under section 56.

(2) The entry in the register of stud bulls relating to such bull together with the licence shall upon the withdrawal of the exemption be cancelled.

Notice to owner of stud bull

60. (1) Where an application for exemption has been refused or a licence cancelled or where the State Director is of opinion that a bull to which this Part applies is not suitable for breeding purposes he may serve on the owner or person in charge of the bull to which such application or licence or opinion refers a notice in the prescribed form requiring such person within the time specified in such notice, not being less than fourteen days, to have such bull slaughtered or sterilized.

(2) Where a notice under subsection (1) is not complied with, the State Director may cause the bull to be slaughtered or sterilized at the expense of the owner and for that purpose any person authorized in that behalf may enter upon any premises where the bull may be or may reasonably be expected to be and any expenses incurred in connection with such slaughter or sterilization may be recovered by the State Director from the owner as a civil debt.

(3) Any person who fails to comply with the requirement of the notice served under subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit.

Licence to be produced on demand

61. (1) The owner of a stud bull shall produce or cause to be produced the licence relating to such bull at the place where the bull is kept upon being required to do so by any of the following:

- (a) a veterinary authority not below the rank of Assistant Veterinary Officer;
- (b) a Police Officer not below the rank of Inspector;
- (c) the person in charge of a cow about to be served by such bull.

(2) Any person who contravenes subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit.

Sterilization free of charge

62. At the request of the owner or person in charge of a bull (not being a stud bull) the State Director or other person specially authorized to sterilize bulls by the State Director shall, if the bull is produced for the purpose at such time and place as the State Director may direct, sterilize such bull free of charge.

Protection of officers

63. No action shall be maintainable in any Court for compensation for any loss or injury that may result from anything done by a State Director or other authorized person in accordance with section 62.

Sanction to prosecute

64. No prosecution under this Part shall be brought without the previous sanction of the State Director.

Burden of proof

65. In any prosecution for an offence under this Part the burden of proof that exemption has been granted in respect of a bull under

section 56 shall lie on the person prosecuted and it shall be presumed until the contrary is proved that a bull is over fifteen months of age.

Power to exempt

66. The Chief Minister of a State may by notification in the *State Gazette* grant exemption from any of the provisions of this Part in respect of any bull or class or classes of bull.

PART VII

ENFORCEMENT

Power to enter and search building, premises or land

67. (1) A veterinary authority or a veterinary police officer for the purpose of ascertaining whether any offence against this Act is being committed or any animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance is infected with any disease or likely to have been in contact with any infected or diseased animal, bird or carcass or any other infected articles or materials, as the case may be—

- (a) enter any building, premises or land belonging to or in the occupation of any person;
- (b) search for any animal or bird, or carcass, semen, fodder, litter, dung or any product of animals or birds or any article or substance, or document as he may consider necessary;
- (c) carry out inspection and examination of any animal or bird, or carcass, semen, fodder, litter, dung or any product of animals or birds or any article or substance, or document and may open any package or receptacle as he may consider necessary;

- (d) collect any kind of sample, take any photograph via any means or including electronic means, enquire and record any information about the inspection and examination as he may consider necessary;
- (e) require the production of, inspect, make copies of, or take extracts from any books or documents found in the building or premises for the purpose of ascertaining by taking or otherwise; or
- (f) take any photograph,

which may furnish evidence of the commission of an offence against this Act and the owner or the occupier of such building, premises or land shall render such veterinary authority or veterinary police officer all necessary assistance and furnish such information as may be required of him.

Power to stop and search conveyance

67A. (1) Where a veterinary authority, a police officer or an officer of customs has reasonable suspicion that a conveyance is carrying any animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance in contravention of any provision of this Act or any subsidiary legislation made under this Act, it shall be lawful for such officer to stop, enter and examine the conveyance for the purpose of ascertaining whether any animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance is contained therein or is being moved or transported contrary to such provision and the person in control or in charge of the conveyance shall if required to do so by the officer, stop the conveyance and allow the officer to examine it.

(2) The person in control or in charge of the conveyance examined under the provision of subsection (1) shall, on request of the veterinary authority, police officer or officer of customs, open all parts of the conveyance for examination by such officer and take

measures necessary to enable the examination as the officer considers necessary to be made.

Power to seize, dispose and destroy animal or bird, or carcass, product of animals or birds, etc.

68. (1) If a veterinary authority, a police officer or an officer of customs has reason to believe that any person has committed an offence against this Act, he may seize any animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, conveyance or document in any building, premises or lands by means of which such offence has been committed and which is a subject matter in relation to the evidence necessary to establish the commission of the offence.

(2) Where under this section any animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, conveyance or document has been seized in respect of such offence then the veterinary authority, the police officer or the officer of customs may apply to a Magistrate for an order to detain the animal, bird, carcass, semen, fodder, litter, dung or any product of animals or birds or any article or substance, conveyance or document until the conclusion of such criminal proceedings.

(3) If upon the application, the Magistrate is satisfied that, and where applicable, any of the said animal or bird, or carcass, semen, fodder, litter, dung or any product of animals or birds or any article or substance—

- (a) is subject to speedy and natural decay;
- (b) is liable to die, deteriorate in quality or spoil within a short time;
- (c) is liable to depreciate in value within a short time; or
- (d) the custody of which is unreasonable in view of the expense or inconvenience that would thereby involved,

he may order the animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance to be destroyed or otherwise disposed of in such manner as the Magistrate thinks fit, and the proceeds of sale, if any, shall be kept until the conclusion of such criminal proceedings.

(4) If upon the application, the Magistrate is satisfied that any of the said animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance is found to be imported or exported without any import or export licence, permit or certificate under the Act or from an unknown source or any source not approved under the Act, he shall order the animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance to be disposed of or destroyed immediately by the veterinary authority.

(5) Notwithstanding any other provisions of this Act where a Magistrate is not immediately available under subsection (2), the veterinary authority may destroy, sell or otherwise dispose of any of the said animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance as he thinks fit.

(6) The owner of the animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance that has been seized under subsection (1) shall pay such sum as the Magistrate may consider reasonable to cover the expenses connected with the removal to a place of detention and unless such sum is paid within a specified time the animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance shall be forfeited.

Power to seal building, premises, etc.

68A. (1) Where applicable and by reason of its nature, size or amount it is not practicable to remove any animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, conveyance or document that has been seized in or on any building, premises or land or any animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any

article or substance or document in any conveyance referred to in subsection 36(5), 45(1) or 68(1), the veterinary authority, the police officer or the officer of customs shall by any means and in such a manner as he deems fit, seal the building, premise or land or seal the conveyance from where the animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance or document was found.

(2) The owner or the occupier of the building, premises, land or conveyance where applicable shall be responsible for the general care or the welfare of the animal or bird if any, the overall maintenance and safe keeping of the animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, conveyance or document that has been sealed in the building, premises or land or the animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance or document inside the conveyance referred to in subsection (1).

(3) It shall be an offence for a person without any written permission or lawful authority to break or tamper with the seal mentioned in subsection (1), or to remove any animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, conveyance or document from such place or any animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance or document from such conveyance or any attempt to do so.

Power to temporarily return animal or bird, or carcass, product of animals or birds, etc., to the owner

68B. (1) Where under section 68, any animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, conveyance or document has been seized and upon a written application by the owner of the same or person entitled to under any written law, a veterinary authority, a police officer or an officer of customs may at his discretion temporarily release or return it to the owner or person entitled to it and shall subject to—

- (a) such terms and conditions as he may impose; and
- (b) sufficient security being furnished to his satisfaction,

provided that the said owner or person entitled to it shall surrender the animal or bird, or carcass, semen, fodder, litter, dung or any product of animals or birds or any article or substance, conveyance or document to the veterinary authority, the police officer or the officer of customs on demand being made.

(2) A person who fails to surrender on demand to a veterinary authority, a police officer or an officer of customs any animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, conveyance or document that is temporarily released or returned to him under subsection (1), or fails to comply with the terms and conditions imposed under paragraph (1)(a) commits an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit or to imprisonment for a term not exceeding three years or to both.

Power to arrest

69. (1) A veterinary authority, a police officer or an officer of customs 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 Act if the person—

- (a) refuses to give his name and residence;
- (b) gives a name or residence which has reason to believe to be false;
- (c) he is likely to abscond; or
- (d) gives his residence in a place not within Malaysia.

(2) Every person so arrested under subsection (1) shall without unnecessary delay be handed over to the nearest police officer or in the absence of a police officer be taken to the nearest police station.

(3) The police officer shall re-arrest every person so arrested under subsection (1) and deal with it as provided for under section 24 of the Criminal Procedure Code [*Act 593*].

Power of investigation

69A. (1) A veterinary authority shall have the power to investigate the commission of an offence against this Act.

(2) A veterinary authority may, in relation to an investigation in respect of an offence committed against this Act, exercise the special powers in relation to police investigation except that of the power to arrest without warrant in a seizable offence given under the Criminal Procedure Code that may not be exercised by him.

Power to require attendance of person acquainted with case

69B. (1) Any veterinary authority making an investigation under section 69A may, by order in writing require the attendance before himself of any person who appears to the veterinary authority to be acquainted with the circumstances of the case, and the person shall attend as so required.

(2) If the person fails to attend as so required, the veterinary authority may report the failure to a Magistrate who shall issue a summons to secure the attendance of the person as required by the order aforesaid.

Examination of person acquainted with case

69C. (1) Any veterinary authority making an investigation under section 69A may obtain information from any person supposed to be acquainted with the facts and circumstances of the case.

(2) The person shall be legally bound to answer all questions relating to the case put to him by the veterinary authority:

Provided that the person may refuse to answer any question the answer to which would have a tendency to expose him to a criminal charge or penalty or forfeiture.

(3) A person making a statement under this section shall be legally bound to state the truth, whether or not the statement is made wholly or partly in answer to questions.

(4) The veterinary authority obtaining information from a person shall first inform that person of the provisions of subsections (2) and (3).

(5) A statement made by a person under this section shall, whenever possible, be reduced into writing and signed by the person making it or affixed with his thumb print, as the case may be, after it has been read to him in the language in which he made it and after he has been given an opportunity to make correction he may wish.

Admission of statements in evidence

69D. (1) Except as provided in this section, no statement made by any person to a veterinary authority in the course of an investigation under this Part shall be used in evidence.

(2) When any witness is called for the prosecution or for the defence, other than the accused, the court shall, on the request of the accused or the prosecutor, refer to any statement made by that witness to a veterinary authority in the course of an investigation under this Part and may then, if the court thinks fit in the interest of justice, direct the accused to be furnished with a copy of it and the statement may be used to impeach the credit of the witness in the manner provided by the Evidence Act 1950 [*Act 56*].

(3) Where the accused had made a statement during the course of an investigation, such statement may be admitted in evidence in support of his defence during the course of the trial.

(4) Nothing in this section shall be deemed to apply to any statement made in the course of an identification parade or falling within section 27 or paragraph 32(1)(a) of the Evidence Act 1950.

(5) When a person is charged with any offence in relation to—

(a) the making; or

(b) the contents,

of any statement made by him to a veterinary authority in the course of investigation made under this Part, that statement may be used as evidence in the prosecution's case.

Powers of enforcement officers

69E. An enforcement officer exercising any powers under this Act shall only do so at the entry points, quarantine stations and quarantine premises in accordance with MAQIS Act.

PART VIII

SUPPLEMENTAL

Obstructing officers in the execution of their duties

70. Any person who, without lawful excuse, obstructs or impedes or assists in obstructing or impeding any veterinary authority, police officer or officer of customs in the exercise of his duty under this Act or any subsidiary legislation made under this Act commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit or to imprisonment for a term not exceeding six months or to both.

Altering licences, permits or documents

71. Any person who, without lawful authority, alters or forges any licence, permit or any other written document issued under this Act

or any subsidiary legislation made under this Act or knowingly makes use of any licence or permit or document so altered or forged, commits an offence and shall on conviction be liable to a fine not exceeding fifteen thousand ringgit or to imprisonment for a term not exceeding six months or to both.

General penalty

72. (1) Any person who commits an offence under this Act for which no penalty is expressly provided shall, on conviction, be liable to a fine not exceeding ten thousand ringgit or to imprisonment for a term not exceeding six months or to both.

(2) Any body corporate which commits an offence under this Act for which no penalty is expressly provided, shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit.

Penalty on second conviction

73. Any person convicted of any offence against this Act who is within a period of twelve months from the date of such conviction convicted of a second or subsequent like offence against this Act shall where no penalty of imprisonment is provided for such offence be liable to imprisonment for two months in addition to or in lieu of any fine.

Offences committed by the body corporate and by agents and servants

73A. (1) Where a body corporate commits an offence under this Act or any of its subsidiary legislation, any person who at the time of the commission of the offence was a chief executive officer, director, manager, secretary or other similar officer of the body corporate or was purporting to act in any such capacity or was in any manner or to any extent responsible for the management of any of the affairs of the body corporate or was assisting in such management—

- (a) may be charged severally or jointly in the same proceedings with the body corporate; and
- (b) where the body corporate is found guilty of the offence, shall be deemed to be guilty of that offence unless, having regard to the nature of his functions in that capacity and to all circumstances, he proves—
 - (i) that the offence was committed without his knowledge, consent or connivance; and
 - (ii) that he took all reasonable precautions and had exercised due diligence to prevent the commission of the offence.

(2) Where any person would be liable under this Act or any of its subsidiary legislation to any punishment or penalty for any act, omission, neglect or default, he shall be liable to the same punishment or penalty for every such act, omission, neglect or default of any employee or agent of his, or of the employee of such agent, if such act, omission, neglect or default was committed—

- (a) by his employee in the course of his employment;
- (b) by the agent when acting on his behalf; or
- (c) by the employee of such agent in the course of his employment by such agent or otherwise on behalf of the agent.

Compounding of offences

73B. (1) The Minister may by order prescribe method, amount and offence to be compounded under this section.

(2) The Director General, the State Director or to whom the Director General or State Director has delegated such power in writing as the case may be, may compound any offence by collecting the amount to be paid from person reasonably suspected of having

committed such offence through a written offer specifying the amount to be paid within such time.

(3) An offer under subsection (2) may be made at any time after the offence has been committed, but before any prosecution for it has been instituted.

(4) If the amount specified in the offer under subsection (2) is not paid within the time specified in the offer or within such extended period as the Director General, the State Director or to whom the Director General or State Director has delegated such power in writing may grant, prosecution for the offence may be instituted at any time thereafter against the person to whom the offer was made.

(5) Where an offence has been compounded under subsection (2), no prosecution shall thereafter be instituted against such person in respect of such offence and where seizure has been taken of any carcass, semen, fodder, litter, dung or any product of animals or birds or any article or substance, conveyance or documents under this Act or any subsidiary legislation made under this Act or the proceeds of any sale under it, the Director General, the State Director or any veterinary authority, may destroy, forfeit or release such property in a manner as he may think fit with the approval of court.

Jurisdiction to try offences

73c. Notwithstanding any written law to the contrary, a Magistrate Court shall have jurisdiction to try any offence under this Act or any subsidiary legislation made under this Act, and to impose full punishment for any such offence.

Forfeiture

74. (1) Any animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, conveyance or document that has been seized or any proceeds of a sale under this Act or any subsidiary legislation made under this Act shall be liable to forfeiture.

(2) Any order for the forfeiture or for the release of any animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance or conveyance or document that had been seized in exercise of any power conferred under this Act or any subsidiary legislation made under this Act or the proceeds of any sale under it shall be made by the court before which the prosecution with regard thereto has been held and an order for its forfeiture shall be made if it is proved to the satisfaction of the court that an offence against this Act has been committed and it was the subject matter of or was used in the commission of the offence, notwithstanding that no person may have been convicted of such offence:

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

(3) Any animal or bird, or carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, conveyance, document or the proceeds from any sale forfeited under this section shall be disposed of in accordance with the directions of the Magistrate.

Carcass, etc., or any product of animals or birds, etc., seized in respect of which there is no prosecution

74A. (1) If there is no prosecution with regard to any carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, conveyance, receptacle, package, or document that had been seized in exercise of any power conferred under this Act or any subsidiary legislation made under this Act or the proceeds of any sale under it, it shall be deemed to be forfeited at the expiration of one hundred and eighty days from the date of the publication of a public notice in accordance with subsection (2) by the Director General or State Director unless a claim thereto is made before the expiration of the said notice in the manner hereinafter set out.

(2) The Director General or State Director shall issue a public notice specifying the date, locality, types of offence and carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance seized in subsection (1) and requiring any person who has any claim of it to appear before a veterinary authority and establish his claim within one hundred and eighty days from the date of such public notification.

(3) The public notice mentioned in subsection (2) shall be published by posting it in a conspicuous place at the office of any veterinary centre in the district in which such carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance was seized or in any local newspaper as the Director General or State Director may feel necessary.

(4) The public notice mentioned in subsection (2) shall be published in the *Gazette* if it involves a conveyance or the value of each item of the carcass, semen, fodder, litter, dung or any product of animals or birds or any other article or substance amounts to fifty ringgit or more.

(5) A veterinary authority may require the owner or person entitled to the carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, conveyances, receptacles, packages or document who had laid a claim within one hundred and eighty days from the date of the publication of public notice under this section, to show proof of such entitlement before deciding to return the carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, conveyances, receptacles, packages or document.

(6) If a veterinary authority is doubtful of the claim of ownership of such carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, he may refer the claimant to a Magistrate to determine the rightful ownership of such carcass, semen, fodder, litter, dung or any product of animals or birds or any article or substance, conveyances, receptacles, packages or document; and the burden shall be on the claimant to prove that he is the rightful owner and such carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, conveyances, receptacles,

packages or document were not a subject matter of the offence or used in the commission of such offence.

(7) If at the expiration of the period of one hundred and eighty days from the date of the publication of public notice under this section, no person has made any claim of such carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, conveyances, receptacles, packages or document, any veterinary authority may apply for an order to destroy or dispose of the carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance, conveyances, receptacles, packages or document as the Magistrate may think fit and the proceeds of sale, if any, shall be credited to the Government revenue.

Presumptions

75. (1) Where the owner or person in charge of a diseased animal or bird is charged with an offence against this Act relative to such disease, he shall be presumed to have known of the existence of such disease in such animal or bird until he shows to the satisfaction of the Court before which he is charged that he had 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 or bird, the person found in possession of such animal or bird or the occupier of the premises frequented by it may be presumed to be the owner until the contrary is proved.

Prosecution

76. No prosecution for any offence under this Act or any rules made under this Act shall be instituted except by or with the written consent of the Public Prosecutor.

Expenses

77. Any expense incurred by a veterinary authority or other officer in the exercise of the powers conferred on him by this Act or any

order, rule, or direction made or given under it shall be charged against the owner, consignor, consignee or importer, as the case may be, of the animal, bird, carcass, article, building or conveyance concerned and may be recovered as a civil debt.

Action to be at risk and expense of owner

78. (1) Any action taken under this Act or of any order, rule, or direction made or given under it in respect of any animal, bird, carcass, article, building or conveyance shall be at the risk of its owner.

(2) No liability shall attach to any Government or to any officer in respect of any expense, loss, damage or delay arising in or from the lawful exercise of the powers conferred by this Act.

Brands or other identification marks applied to animals, etc.

79. (1) Any person who has charge of any animal or bird shall ensure that the animal or bird bears any mark of identification which the Minister may prescribe by order.

(2) Any person who fails to comply with any order made under subsection (1) commits an offence.

(3) A veterinary authority may, if he deems it necessary and where applicable for purposes of identification, brand, label, tattoo, notch or otherwise mark either permanently or temporarily any carcass, semen, fodder, litter, dung, or any product of animals or birds or any article or substance.

(4) Any person who counterfeits, copies, alters, defaces or erases, any brand, label, tattoo, notch or mark applied by a veterinary authority commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit.

Quarantine stations for animals

80. (1) Animal quarantine stations shall be established and maintained by the Government and by State Governments at suitable places in Peninsular Malaysia. The position and name, if any, of any such quarantine station shall be notified in the appropriate *Gazette*.

(2) In addition to the animal quarantine stations notified under subsection (1) the State Director may appoint suitable places or premises to be temporary or emergency quarantine stations for animals.

By-laws for management of animal quarantine stations

81. (1) The Director General in the case of Federal animal quarantine stations and the State Director in the case of State animal quarantine stations, after consultation with the Director General, may make by-laws for regulating the management and maintenance of animal quarantine stations.

(2) The Minister may prescribe fees for the quarantine of animals in Federal animal quarantine stations and the Ruler in Council or Yang di-Pertua Negeri in Council in a State may prescribe fees for the quarantine of animals in State animal quarantine stations respectively.

(3) Any charges incurred on account of transport of an animal to or from an animal quarantine station shall be paid by the owner or person in charge of the animal.

Establishment of veterinary centers

82. The Chief Minister of a State may appoint a suitable place or places within the State, to be a veterinary centre or centres for animals and birds or for any kind of animal or bird and may make rules for the management of the veterinary centre or centres, and may prescribe the fees to be paid for the maintenance and treatment of any kind of animal or bird and the fees to be paid for the destruction or

burial of the carcass of any animal or bird treated or detained in the veterinary centre or centres.

Certificates of freedom of State from disease

83. A State Director may on payment of a fee of two ringgit issue to the exporter of any animal or goods a certificate certifying that a State is free from disease.

Importation of noxious insects or pests

84. (1) No person shall knowingly import into Peninsular Malaysia or shall have in his possession any living noxious insect, or any living pest, or any living disease germ or virus or any bacterial culture, of a nature harmful or dangerous to animals or birds without the previous written permission of the Director General.

(1A) Upon receiving the written permission from the Director General, such person shall apply for a permit to import into Peninsular Malaysia in accordance with MAQIS Act.

(2) Any person who contravenes this section shall be dealt with in accordance with MAQIS Act.

Animal or bird in a quarantine station not deemed to be entering Malaysia

85. For the purposes of this Act and any rules and regulations made under it any animal or bird brought to Peninsular Malaysia by land, sea or air, and entering a quarantine station under instructions of a veterinary authority or an enforcement officer shall not be deemed to have entered Peninsular Malaysia, but shall be subject to all appropriate provisions of this Act and any rules and regulations made under it.

Power to make rules

86. (1) The Minister may make rules for the further carrying out of the objects and provisions of this Act.

(2) Without prejudice to the generality of the powers conferred by subsection (1) the Minister may by rules make provision for—

- (a) placing vessels carrying animals, birds or carcasses in quarantine;
- (b) regulating the landing of animals, birds or carcasses from vessels;
- (c) *(Deleted by Act A1452)*;
- (d) prescribing the examination of animals or birds on importation, the tests to be applied, and the measures to be taken;
- (e) *(Deleted by Act A1452)*;
- (ea) regulating or controlling any abattoirs and slaughter-houses;
- (eb) regulating and licensing of hatcheries, breeding farms, artificial insemination centres and service, poultry processing plants, meat packing and canning plants, meat storage plants and other facilities for livestock and poultry breeding and improvement;
- (f) the cleansing or disinfection of buildings, sheds, places or conveyances in which diseased animals or birds have been kept or carried;
- (g) the cleansing or disinfection of markets, sale yards, railway premises and railway vans or trucks wherein any animals or birds have been kept or carried;

- (h) the disinfection of contacts or animals or birds which have been in an infected area;
- (i) the disinfection of persons and the clothing of persons who have been in contact with or employed about diseased or suspected animals, birds or carcasses or contacts;
- (j) the seizure, disinfection and, if expedient, the destruction, with or without compensation, of carcass, litter, fodder or other articles which have been in contact with any diseased animal, bird, or carcass or which are reasonably suspected of being a vehicle for spreading disease;
- (k) 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;
- (ka) regulating the licensing, control, supervision and inspection of places in which animals or birds are or may be kept in captivity for sale, export or exhibition, recreation or sports, research or scientific experiments and such rules may—
 - (i) prescribe the conditions subject to which animals or birds may be so kept;
 - (ii) specify the authorities by which such licences may be granted; and
 - (iii) prescribe the circumstances in which such licences may be revoked or suspended;
- (l) the payment of fees for anything to be done under this Act and fixing the amount of such fees;
- (m) (*Deleted by Act A1452*).

(3) Rules made under this section may prescribe any act or omission in contravention of the rules to be an offence and may prescribe penalties of a fine not exceeding ten thousand ringgit, and in the case of a continuing offence, may prescribe a further fine of five hundred ringgit for every day or part of a day during which the offence continues after conviction.

Repeal

87. (1) The written laws set out in the Schedule are hereby repealed to the extent specified in the third column.

(2) (*Omitted*).

(3) The Slaughter of Female Animals Proclamation and the Essential (Control of Movement and Slaughter of Animals) Regulations are hereby revoked.

SCHEDULE

Number	Short title	Extent of repeal
F.M.S. No. 40 of 1936	Diseases of Animals Enactment	The whole
S.S. No. 52 of 1939	Quarantine and Prevention of Diseases Ordinance	<p>Section 95, paragraphs 97(1)(c),(g), (h), (p), (q), (r), (s) and (t) and the following words which occur in the paragraphs of subsection 97(1) indicated against each, namely—</p> <p>(d) “whether ... or animals”</p> <p>(e) “and animals”</p> <p>(i) “or animal”</p> <p>(j) “litter, fodder ... or animal”;</p> <p>section 100; and the words “or the owner or person in charge of a diseased animal” and “or animal” which occur in section 102.</p>
Johore Enactment No. 122	Quarantine and Prevention of Disease Enactment	<p>Sections 66 to 101; paragraphs 103(i)(c), (g), (h), (p), (q), (r), (s) and (t); the following words which occur in the paragraphs of subsection 103(i) indicated against each, namely—</p> <p>(d) whether ... or animals”</p> <p>(e) “and animals”</p> <p>(i) “or animal”</p> <p>(j) “litter, fodder ... or animal”;</p> <p>section 106; and the words “or the owner or person in charge of a diseased animal” and “or animal” which occur in section 108.</p>

Number	Short title	Extent of repeal
Kedah Enactment No. 90	Quarantine and Prevention of Diseases (Animals) Enactment	The whole
Kelantan Enactment No. 5 of 1939	Quarantine and Prevention of Diseases Enactment	Part 5 (sections 40 to 45)
Perlis Enactment No. 5 of 1343	Quarantine and Prevention of Diseases (Animals) Enactment	The whole
Trengganu Enactment No. 6 of 1356	Quarantine and Prevention of Diseases Enactment	Part II (sections 41 to 50)
F.M.S. Cap. 192	Cruelty to Animals (Prevention) Enactment	The whole
S.S. Cap. 31	Prevention of Cruelty to Animals Ordinance	The whole
Johore Enactment No. 6	Small Offences Enactment	Section 33
Kedah Enactment No. 83	Prevention of Cruelty to Animals Enactment	The whole
Kelantan Enactment No. 27 of 1930	Prevention of Cruelty to Animals Enactment 1930	The whole
Perlis Enactment No. 2 of 1332	Cruelty to Animal Prevention Enactment	The whole
Trengganu Enactment No. 64 of 1356	Prevention of Cruelty to Animals Enactment	The whole

Number	Short title	Extent of repeal
Kedah Enactment No. 30 of 1354	Buffalo-fighting and Cock-fighting (Prevention) Enactment	The whole
Kedah Enactment No. 1 of 1354	Selective Cattle Breeding Enactment 1950	The whole
Kelantan Enactment No. 6 of 1950	Selective Cattle Breeding Enactment, 1950	The whole
F.M.S. Cap. 194	Buffaloes Enactment	Sections 8 and 13
Kelantan Enactment No. 19 of 1938	Cattle Enactment	Parts 6, 7 and 8 (sections 25 to 29) and section 33
S.S. No. 12 of 1936	Cattle Protection Ordinance	The whole
Kedah Enactment No. 7 of 1352	Enactment No. 38 [Female Cattle Export and Slaughter (Restriction)]	The whole
Perlis Enactment No. 14 of 1356	Female Cattle Export and Slaughter (Restriction) Enactment	The whole
Perlis Enactment No. 8 of 1328	Cattle Loans Enactment	The whole
Kedah Enactment No. 97	Registration of Dogs Enactment	The whole
Trengganu Enactment No. 17 of 1356	Registration of Dogs Enactment	The whole

Number	Short title	Extent of repeal
Kelantan Enactment No. 14 of 1930	The Gambling and Prohibited Amusements Enactment 1930	In so far as it relates to prohibited amusements
S.S. Cap. 133	Municipal Ordinance	Paragraph 58(1)(<i>ee</i>)
Kelantan <i>Gazette</i> Notification No. 1 of 1918	Authority to Destroy Diseased Dogs	The whole
Kelantan <i>Gazette</i> Notification No. 17 of 1920	Disposal of Diseased Poultry	The whole

(APPENDIX)

LIST OF DISEASES DECLARED BY THE MINISTER

P.U. (B) 86/1999	1. African horse sickness
	2. Athropic rhinitis
	3. (<i>Deleted by P.U. (B)247/2000</i>)
	4. Bluetongue
	5. Bovine spongiform encephalopathy
	6. Contagious equine metritis
	7. Duck virus enteritis
	8. Duck virus hepatitis
	9. Equine influenza
	10. Equine infectious anemia
	11. Equine viral arteritis
	12. Japanese encephalitis

13. Maedi-visna
 14. Myxinatisos
 15. Paratuberculosis
 16. Porcine reproductive and respiratory syndrome (PRSS)
 17. Pulmonary adenomatosis
 18. Psittacosis-Ornithosis
 19. Strangles
 20. Transmissible gastroenteritis
 21. Venezuelan equine encephalomyelitis
- P.U. (B) 96/1999 Viral encephalitis
- P.U. (B) 247/2000 Avian salmonellosis
-

LAWS OF MALAYSIA

Act 647

ANIMALS ACT 1953

LIST OF AMENDMENTS

Amending law	Short title	In force from
Ord. No. 43/1953	Animals (Amendment) Ordinance 1953	30-04-1953
Ord. No. 69/1953	Animals (Amendment No. 2) Ordinance 1953	01-01-1954
Ord. No. 45/1957	Animals (Amendment) Ordinance 1957	27-08-1957
L.N. 332/1958	Federal Constitution (Modification of Laws) (Ordinances and Proclamations) Order 1958	14-10-1958
Ord. No. 45/1958	Animals (Amendment) Ordinance 1958	05-12-1958
Act A107	Animals (Amendment) Act 1975	01-04-1972
Act 147	Veterinary Surgeons Act 1974	01-06-1975
Act 160	Malaysian Currency (Ringgit) Act 1975	29-08-1975
Act A321	Animals (Amendment) Act 1975	05-09-1975

Amending law	Short title	In force from
P.U. (A) 391/2006	Revision of Laws (Rectification of Animals Act 1953) Order 2006	27-10-2006
Act A1452	Animals (Amendment) Act 2013	20-08-2013

LAWS OF MALAYSIA

Act 647

ANIMALS ACT 1953

LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
Long title	P.U. (A) 391/2006	27-10-2006
2	Ord. No. 43/1953 L.N. 332/1958 Act A321 Act 235 Act A1452	30-04-1953 14-10-1958 05-09-1975 02-11-1967 28-08-2013
3	L.N. 332/1958 Act A321	14-10-1958 05-09-1975
4	P.U. (B) 324/1970	01-01-1971
5	L.N. 332/1958 Act 160 Act A321 Act A1452	14-10-1958 29-08-1975 05-09-1975 28-08-2013
6	L.N. 332/1958 Act 160 Act A321 Act A1452	14-10-1958 29-08-1975 05-09-1975 28-08-2013
6A	Act A1452	28-08-2013
7	Act A1452	28-08-2013
8	Act 160 P.U. (A) 391/2006 Act A1452	29-08-1975 27-10-2006 28-08-2013
9	Act A321	05-09-1975

Section	Amending authority	In force from
	Act A1452	28-08-2013
10	Act 160 Act A1452	29-08-1975 28-08-2013
11	Act A1452	28-08-2013
12	Act 160 Act A1452	29-08-1975 28-08-2013
13	Act A321 Act A1452	05-09-1975 28-08-2013
14	L.N. 332/1958 Act 160 Act A321 Act A1452	14-10-1958 29-08-1975 05-09-1975 28-08-2013
14A	Act A1452	28-08-2013
15	Act A1452	28-08-2013
16	Act A1452	28-08-2013
17	Act A1452	28-08-2013
18	Act 160 Act A321 Act A1452	29-08-1975 05-09-1975 28-08-2013
19	Act A321	05-09-1975
20	L.N. 332/1958 Act A321	14-10-1958 05-09-1975
21	Act 160 Act A1452	29-08-1975 28-08-2013
22	Act 160	29-08-1975

Section	Amending authority	In force from
	Act A1452	28-08-2013
23	Act 160 Act A1452	29-08-1975 28-08-2013
24	L.N. 332/1958 Act 160 Act A1452	14-10-1958 29-08-1975 28-08-2013
25	Act 160 Act A1452	29-08-1975 28-08-2013
26	Act 160 Act A1452	29-08-1975 28-08-2013
27	Act 160 Act A1452	29-08-1975 28-08-2013
28	Act 160 Act A1452	29-08-1975 28-08-2013
29	Act 147	01-06-1975
30	Act A321 Act 160 Act A1452	05-09-1975 29-08-1975 28-08-2013
31	L.N. 332/1958 Act 160 Act A321 Act A1452	14-10-1958 29-08-1975 05-09-1975 28-08-2013
33	Act 160 Act A1452	29-08-1975 28-08-2013
34	Act 160 Act A321	29-08-1975 05-09-1975

Section	Amending authority	In force from
	Act A1452	28-08-2013
35	Act 160 Act A1452	29-08-1975 28-08-2013
36	L.N. 332/1958 Act 160 Act A321 Act A1452	14-10-1958 29-08-1975 05-09-1975 28-08-2013
37	Act A321	05-09-1975
38	Ord. No. 69/1953 L.N. 332/1958 Ord. No. 45/1958 Act 160 Act A321 P.U. (A) 391/2006 Act A1452	01-01-1954 14-10-1958 27-08-1957 29-08-1975 05-09-1975 27-10-2006 28-08-2013
39	L.N. 332/1958 Act 160 Act A321 Act A1452	14-10-1958 29-08-1975 05-09-1975 28-08-2013
40	Act 160 Act A1452	29-08-1975 28-08-2013
41	Act 160 Act A1452	29-08-1975 28-08-2013
42	Ord. No. 69/1953 L.N. 332/1958 Act 160 Act A321 Act A1452	01-01-1954 14-10-1958 29-08-1975 05-09-1975 28-08-2013

Section	Amending authority	In force from
44	L.N. 45/1957	27-08-1957
	L.N. 332/1958	14-10-1958
	Act 160	29-08-1975
	Act A1452	28-08-2013
45	Act A1452	28-08-2013
47	Act 160	29-08-1975
	Act A1452	28-08-2013
50A	Ord. No. 69/1953	01-01-1954
	Act 160	29-08-1975
	Act A1452	28-08-2013
51	L.N. 332/1958	14-10-1958
	Ord. No. 45/1958	05-12-1958
	Act 160	29-08-1975
	Act A321	05-09-1975
	Act A1452	28-08-2013
52	L.N. 332/1958	14-10-1958
53	L.N. 332/1958	14-10-1958
55	Act 160	29-08-1975
	Act A1452	28-08-2013
56	L.N. 332/1958	14-10-1958
	Act A321	05-09-1975
57	Act A321	05-09-1975
58	Act 160	29-08-1975
	Act A321	05-09-1975
	Act A1452	28-08-2013
59	Act A321	05-09-1975

Section	Amending authority	In force from
60	Act 160	29-08-1975
	Act A321	05-09-1975
	Act A1452	28-08-2013
61	Act 160	29-08-1975
	Act A1452	28-08-2013
62	Act A321	05-09-1975
63	Act A321	05-09-1975
64	Act A321	05-09-1975
66	L.N. 332/1958	14-10-1958
67	Act 160	29-08-1975
	Act A321	05-09-1975
	Act A1452	28-08-2013
67A	Act A1452	28-08-2013
68	Act A321	05-09-1975
	Act A1452	28-08-2013
68A	Act A1452	28-08-2013
68B	Act A1452	28-08-2013
69	P.U. (A) 391/2006	27-10-2006
	Act A1452	28-08-2013
69A	Act A1452	28-08-2013
69B	Act A1452	28-08-2013
69C	Act A1452	28-08-2013

Animals

81

Section	Amending authority	In force from
69D	Act A1452	28-08-2013
69E	Act A1452	28-08-2013
70	Act 160 Act A1452	29-08-1975 28-08-2013
71	Act 160 Act A1452	29-08-1975 28-08-2013
72	Act 160 Act A321 Act A1452	29-08-1975 05-09-1975 28-08-2013
73A	Act A1452	28-08-2013
73B	Act A1452	28-08-2013
73C	Act A1452	28-08-2013
74	Act A321 Act A1452	05-09-1975 28-08-2013
74A	Act A1452	28-08-2013
75	Ord. No. 69/1953	01-01-1954
76	Act A1452	28-08-2013
79	Act A1452	28-08-2013
80	L.N. 332/1958 Act A321 P.U. (A) 391/2006	14-10-1958 05-09-1975 27-10-2006
81	Ord. No. 43/1953 L.N. 332/1958	30-04-1953 14-10-1958

Section	Amending authority	In force from
	Act A321	05-09-1975
82	L.N. 332/1958	14-10-1958
83	L.N. 332/1958 Act 160	14-10-1958 29-08-1975
84	Act 160 Act A321 P.U. (A) 391/2006 Act A1452	29-08-1975 05-09-1975 27-10-2006 28-08-2013
85	P.U. (A) 391/2006 Act A1452	27-10-2006 28-08-2013
86	Ord. No. 69/1953 L.N. 332/1958 Act A107 Act 160 Act A321 Act A1452	01-01-1954 14-10-1958 01-04-1972 29-08-1975 05-09-1975 28-08-2013
