

8.0 What action should be taken by the owner of the livestock / public farm if the authorities declare a place as an outbreak under Subsection 45(1) and Subsection 46(1) of the Animal Enactment 2015?

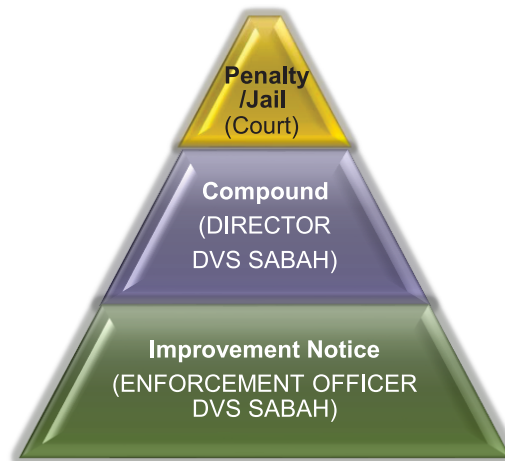
Owners of livestock / public farms are required to comply with any instructions or orders issued by the Department of Veterinary Services Sabah authorities such as;

- (a) Prohibition either absolutely or conditionally the removal into or out of such infected area of any animal, bird, animal product, bird product, carcass, fodder, litter, dung or any article or substance or specified kinds of animal or bird specified into or to outside of the infected area.
- (b) Orders to regulate the tying-up, isolation, segregation, movement or slaughter of animals or birds within the infected area as he may deem necessary to control and check the spread of the disease.
- (c) Obtain a permit for any animal or bird that wishes to move in or out of the area of the outbreak.
- (d) Rabies infected area - they must be kept under the effective control by –
 - (i) not take any dog out of a rabies-infected area or out of any district of which any part is a rabies-infected area except with a permit issued by a veterinary authority.
 - (ii) confining it within an enclosed area from which it is impossible for the dog to escape;
 - (iii) tying it up securely; or
 - (iv) leading it by a chain or lead of strong cord or leather properly secured to a collar or harness worn by the dog.

9.0 What are the penalties for offenses of refusing to comply with the orders/orders of the veterinary authorities under Subsection 45(1) and Subsection 46(1) of the 2015 Animal Enactment?

Fines not exceeding RM25,000.

10.0 Animal Enactment Enforcement methods 2015



11.0 For any further questions please contact:

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V1.0 May 2020

ANIMAL ENACTMENT 2015

This Enactment came into force on January 2, 2016 as prescribed by the Minister by notification in Gazette No. 8/2015.

1.0 What are the parts and sections contained in the Animal Enactment 2015?

The Animal Enactment 2015 contains 9 parts and 87 sections as follows;

- Part 1: Preliminary
- Part 2: Functions and Powers
- Part 3: Licence, Permit and Certificate
- Part 4: Importation & Exportation of Animal, Bird, Etc
- Part 5: Prevention of The Spread of Disease
- Part 6: Quarantine Stations and Veterinary Centres
- Part 7: Conservation of Livestock
- Part 8: Enforcement
- Part 9: Miscellaneous
- Part 10: Repeal, Savings and Transitional

2.0 What is the interpretation of “animal” and “owner” in the Animal Enactment 2015?

The interpretation of “animals” and “owners” in accordance with Section 2: -

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

“owner” means any person who owns any animal, bird, animal product, bird product, carcass, fodder, litter, dung or any article or substance and includes any person for the time being in charge of any animal, bird, animal product, bird product, carcass, fodder, litter, dung or any article or substance and any person for the time being in occupation of any premises;

3.0 What are the functions and powers of the Director in the Animal Enactment 2015?

In Section 3 (1), the Director shall have the following functions and powers;

- (a) to control the importation and exportation of animal, bird, animal product, bird product, carcass, dung or any article or substance;
- (b) to issue licence, permit or certificate;
- (c) to control the importation, exportation, possession or administration of veterinary biologic;
- (d) to control the movement of animal or bird within the State;
- (e) to establish temporary or emergency quarantine stations at suitable places in Sabah;
- (f) to establish and implement programs for the prevention of spreading, treatment and eradication of animal disease in the State;
- (g) to advise the Minister on matters relating to the prevention, spreading, treatment and the eradication of disease; and
- (h) to do all things expedient and necessary for or incidental to the performance of his functions and powers under this Enactment.

4.0 What are the matters that require for licenses, permits and certificates from DVS Sabah in accordance with Subsection 5(1) of the Animal Enactment 2015?

All individuals or companies involved to run the following activities:

- (a) import any animal, bird, animal product, bird product, carcass, dung or any article or substance;
- (b) export any animal, bird, animal product, bird product, carcass, dung or any article or substance;
- (c) possess and administer veterinary biologic;
- (d) import or export veterinary biologic;
- (e) use any private place or premises as a temporary quarantine station; or
- (f) import into Sabah or shall have in his possession any living disease bearing insect or any living disease pathogen or virus or any bacterial culture, of a nature harmful or dangerous to animals or birds,

5.0 What are the penalties for failing to comply with the requirements of Subsection 5(1) of the Animal Enactment 2015?

Fines not exceeding RM50,000 or imprisonment for a term not exceeding two (2) years or both for offenses of no import license [Subsection 15(1)] or no export licence [Subsection 23(1)].

Fines not exceeding RM20, 000 or imprisonment for a term not exceeding one (1) year or both except for the offense of no license to possess, import/export veterinary biological materials [Subsection 37(1) & Subsection 38(1)].

6.0 What action should a veterinarian/the owner of any livestock/pet/animal product take if they discover or reasonably believe that any animal/pet/animal product is infected with Notifiable Disease as listed in the Schedule [Subsection 40(1)] Animal Enactment 2015?

If a veterinary surgeon or a registered medical practitioner has reason to believe that any animal or bird may be infected, or any animal product, bird product or carcass may be contaminated with, or any person may be infected with any notifiable disease as the case may be, such veterinary surgeon or registered medical practitioner shall immediately notify the nearest veterinary authority or officer in charge of a police station.

7.0 What are the penalties for failing to report an incident of Notifiable Disease under the Animal Enactment 2015?

Fines not exceeding RM10,000 or imprisonment for a term not exceeding 6 months or both.