

PART III

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

IMPORT

Power to make order with regards to import

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

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

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

[Am. Cap. A97.]

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

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

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

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

[Am. Cap. A97.]

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

Examination and detention imported animals and animal products.

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

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

[Am. Cap. A97.]

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

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

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

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

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

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

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

[Am. Cap. A97.]

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

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

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

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

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

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

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

[Am. Cap. A97.]

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

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

[Am. Cap. A97.]

(2) If animal or fish dies or is lost from a ship, aircraft or vehicle in any port, airfield or station, the master of the ship or aircraft or the driver

of the vehicle shall immediately notify the State Veterinary Authority of such death or loss.

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

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

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

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

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

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

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

Destruction of imported injured animals

14. – (1) If any animal or fish examined by the State Veterinary Authority or an authorized person for the purposes of import into the country is found to be suffering from injury which in the opinion of the State Veterinary Authority cannot be relieved or cured, it or the authorized

person may cause such animal or fish to be destroyed at once or dealt with in such manner as it may direct.

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

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

[Am. Cap. A97.]

Permission to land carcass

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

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

[Am. Cap. A97.]

Destruction or disinfection of certain articles

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

EXPORT

No person shall export any animal, fish, animal or fish products without license

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

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

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

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

[Am. Cap. A97.]

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

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

[Am. Cap. A97.]