



THE STATUTES OF THE REPUBLIC OF SINGAPORE

ANIMALS AND BIRDS ACT 1965

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Animals and Birds Act 1965

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An Act for preventing the introduction into, and the spreading within, Singapore of diseases of animals, birds or fish; for the control of the movement of animals, birds or fish into, within and from Singapore; for the prevention of cruelty to animals, birds or fish; for measures pertaining to the general welfare and improvement of animals, birds or fish in Singapore and for purposes incidental thereto.

[22 October 1965: Except section 71 ;
20 May 1966: Section 71]

PART 1

PRELIMINARY

Short title

1. This Act is the *Animals and Birds Act 1965*.

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” means any mammal (other than man) or fish and includes any other living creature that is prescribed as an animal for the purposes of this Act or that falls within a class of animals that is prescribed for those purposes;

“animal quarantine station” means a quarantine station established under section 57;

“authorised examiner” means any authorised officer and includes any person who has been designated as an authorised examiner by the Director-General under section 4;

“authorised officer” means any person appointed by the Director-General to be an authorised officer under section 3(2);

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

- “Board” means the National Parks Board established by the repealed National Parks Act (Cap. 198A, 1991 Revised Edition) as in force before 1 July 1996 and continued by section 3 of the National Parks Board Act 1996;
- “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, boarding, fence, platform, roadway, path, steps, staging, slip, wharf, dock, piles, jetty, landing stage or bridge, or any structure connected with the foregoing;
- “carcase” 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;
- “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, Animal Health and Welfare appointed under section 3(1);
- “disease” means any disease that is infectious or contagious among animals or birds and includes any other disease which the Minister may, from time to time, by notification in the *Gazette*, declare to be a disease for the purposes of this Act;
- “dog” means a domesticated dog of any breed or sex;
- “examine”, in relation to any animal or bird or the carcase thereof, means to carry out in respect of such animal, bird or carcase, such manner of inspection, examination and test as may be necessary for the purposes of determining whether the animal, bird or carcase thereof is infected with any disease;
- “fish” includes any of the varieties of marine, brackish water or fresh water fishes, crustacea, aquatic mollusca, turtles,

marine sponges, trepang and any other form of aquatic life and the young and eggs thereof;

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

“genetically modified organism” means any organism (other than a human being or a plant), whether living or dead, or parts of any such organism, containing genetic material or protein or both which have been derived or modified as a result of manipulation or experimentation of genetic material, or any means other than by natural process;

“goods in transit” means goods that are brought into Singapore solely for the purpose of taking them out of Singapore and that remain at all times on the vehicle, aircraft or ship that brought them into Singapore;

“import” includes the import into Singapore of goods in transit and goods which are to be transhipped;

“infected” means infected with any disease;

“licence” means any licence issued by the Director-General;

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

“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;

“officer of customs” has the meaning given by the Customs Act 1960;

“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;

“permit” means a permit issued by the Director-General;

“port” has the meaning given by the Maritime and Port Authority of Singapore Act 1996;

“public place” means any place or premises to which at the material time the public or any section of the public has

access, on payment or otherwise, as of right or by virtue of express or implied permission;

“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;

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

“tranship” means to remove any goods imported into Singapore from the vehicle, aircraft or ship in which they were imported and either return them to the same vehicle, aircraft or ship or transfer them to another vehicle, aircraft or ship before being exported, whether such goods are to be transferred directly between such vehicles, aircraft or ships or whether they are to be landed in Singapore after their import and kept at any place pending export;

“veterinary biologics” means any viruses, serums, toxins, and analogous products of natural or synthetic origin, including genetically modified organisms, diagnostics, antitoxins, vaccines, live micro-organisms, killed micro-organisms, and the antigenic or immunising component of micro-organisms intended for use in the diagnosis, treatment, or prevention of diseases of animals and birds, or for purposes of research in animals or birds;

“veterinary centre” means any premises used for the purpose of providing any of the following services to members of the public:

- (a) the diagnosis of disease in, and injuries to, animals or birds, including tests performed for diagnostic purposes;
- (b) the treatment, vaccination or inoculation of animals or birds.

[46/2014; 10/2019]

(2) Nothing in this Act affects a police officer's powers or duties under the Criminal Procedure Code 2010.

[46/2014]

Appointment of Director-General and authorised officers

3.—(1) The Board is responsible for the administration of this Act, and to that end, the Board must appoint an officer of the Board to be the Director-General, Animal Health and Welfare.

[10/2019]

(2) The Director-General may, subject to the directions of the Board, appoint any of the following persons to be an authorised officer for the purpose of assisting the Director-General in administering and carrying out the provisions of this Act or any other written law which confers powers on the Director-General:

- (a) an employee of the Board;
- (b) an employee of another statutory authority;
- (c) a public officer;
- (d) an auxiliary police officer appointed under the Police Force Act 2004.

[10/2019]

(3) The Director-General may delegate the exercise of all or any of the powers conferred or duties imposed upon the Director-General by any provision of this Act or any other written law (except the power of delegation conferred by this subsection) to an authorised officer; and any reference in the provision of this Act or other written law to the Director-General includes a reference to such an authorised officer.

[10/2019]

(4) Any delegation under subsection (3) may be general or in a particular case and may be subject to such conditions or limitations as set out in this Act or as the Board may specify.

[10/2019]

(5) The Director-General may, for any reason that appears to him or her to be sufficient, at any time revoke a person's appointment as an authorised officer.

[10/2019]

(6) A person mentioned in subsection (2)(d) who is appointed as an authorised officer does not, by virtue only of the appointment, become an employee or agent of the Board.

[10/2019]

Designation of authorised examiners

4. The Director-General may, subject to any general or special directions of the Board, in writing designate any suitably qualified person as an authorised examiner to carry out, at any appointed place, any examination, treatment or certification and any other similar, related or ancillary functions which are required by this Act to be carried out.

[10/2019]

Public servants

5. All authorised officers are deemed to be public servants for the purposes of the Penal Code 1871.

Identification card to be produced

6.—(1) Every authorised officer, officer of customs or police officer when exercising any powers under this Act must —

- (a) if not in uniform, declare his or her office; and
- (b) on demand, produce to any person affected by the exercise of those powers such identification card as the Director-General, the Director-General of Customs or the Commissioner of Police respectively may direct to be carried by the authorised officers, officers of customs or police officers.

[4/2003]

(2) It is not an offence for any person to refuse to comply with any request, demand or order made or given by any authorised officer, officer of customs or police officer not in uniform, who fails to declare his or her office and refuses to produce his or her identification card on demand being made by that person.

PART 2

IMPORT, TRANSHIPMENT, EXPORT OF ANIMALS
AND BIRDS AND POSSESSION OF
NOXIOUS INSECTS, ETC.*Import***Power to make orders with regard to import, etc.**

7.—(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 or transhipped either with or without restriction; or
- (b) prohibiting, either absolutely or conditionally, the import and transhipment 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 any disease.

(2) Any person who contravenes the provisions of any order made under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

No person to import or tranship any animal, bird or veterinary biologics without licence

8.—(1) Except as provided in any order made under section 7(1), a person must not import or tranship any animal, bird or veterinary biologics, except in accordance with a licence issued in that behalf by the Director-General and in accordance with the conditions (if any) of that licence and such other conditions as may be prescribed.

(2) A licence to import or tranship any animal, bird or veterinary biologics under this Act may be obtained on an application made in the prescribed form to the Director-General and upon the payment of such fees as may be prescribed.

(2A) In deciding whether to grant a licence for the import of any animal or bird intended for human consumption or production of

primary produce, the Director-General may make inquiries and investigations that are reasonable and appropriate in the circumstances so as to be satisfied as to the experience and resources of the applicant in providing a secure and reliable supply in Singapore of the animals or birds of acceptable quality for human consumption or production of primary produce, as the case may be.

[10/2019]

(2B) Without limiting subsection (2A), the inquiries and investigations may include whether an applicant for a licence for the import of any animal or bird intended for human consumption or production of primary produce has a procurement plan stating —

- (a) the risks (including assessments of such risks) of any disruption occurring to the import of the animal or bird from the markets from which the animal or bird is to be procured; and
- (b) any plan of action (including preventive strategies) for the purpose of —
 - (i) ensuring, so far as is reasonably practicable, that the applicant can still provide a secure and reliable supply in Singapore of the animal or bird of acceptable quality; or
 - (ii) otherwise reducing or mitigating the effect of any disruption to the supply of the animal or bird from any such market from which the animal or bird is to be procured.

[10/2019]

(2C) The Director-General may grant a licence subject to such conditions as the Director-General thinks fit, including but not limited to the conditions necessary or related to ensuring a secure and reliable supply in Singapore of any animals or birds intended for human consumption or production of primary produce, as the case may be.

[10/2019]

(3) Any person importing or transshipping an animal, bird or veterinary biologics in contravention of subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding

\$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Import or possession of noxious insects, pests or genetically modified organisms, etc.

9.—(1) A person must not, without the prior written consent of the Director-General, knowingly import into Singapore or have in the person's 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, or any genetically modified organism.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Examination of imported animals and birds

10.—(1) Any person who has imported any animal or bird must, if so directed by the Director-General or an authorised officer, immediately upon the arrival of the animal or bird in Singapore, at the person's own expense arrange for the animal or bird to be examined by an authorised examiner.

(2) For the purpose of carrying out the examination of any animal or bird under subsection (1), an authorised examiner may detain the animal or bird at a quarantine station or such other place as may be approved by the Director-General or an authorised officer until the completion of the examination.

(3) If any animal or bird, upon being examined by an authorised examiner under subsection (1), is certified by the authorised examiner to be suffering from —

- (a) any disease or injury which, in the opinion of the authorised examiner, cannot be treated or relieved; or
- (b) any disease which is likely to spread unless the animal or bird is destroyed,

the person who imported the animal or bird must, at the person's own expense, cause that animal or bird to be destroyed at once and the carcase thereof to be disposed of in such manner as may be specified by the Director-General or an authorised officer.

(4) Any person who fails to comply with subsection (1) or (3) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Arrival of animal or bird to be reported

11.—(1) The master of any ship or aircraft and the guard of any train on which there is any animal or bird, whether that animal or bird is intended to be landed in Singapore or not, must immediately on the first arrival of the ship, aircraft or train at a port, airfield or station in Singapore 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 must without delay inform an authorised officer.

(2) An authorised officer may —

- (a) board any ship, aircraft or train for the purpose of examining any animal or bird therein; or
- (b) direct the master of the ship or aircraft or the guard of the train to arrange, at his or her own expense, for the animal or bird to be examined by an authorised examiner.

(3) Despite the fact that —

- (a) a licence has been issued for the import or transhipment of an animal or bird under section 8; or
- (b) any animal or bird comes from a country or part of a country which has been specified in an order made under section 7(1)(a),

the port officer or officer in charge of an airfield or station master must not permit that animal or bird to be landed from the ship or removed from the aircraft or the train (as the case may be) until he or she has personally satisfied himself or herself that an authorised officer has granted a permit for the landing or removal of that animal or bird from the ship, aircraft or train.

- (4) Any person who —
- (a) fails to make a report as is required under subsection (1);
 - (b) fails to comply with any direction given to the person by an authorised officer under subsection (2); or
 - (c) permits an animal or bird to be landed or removed from any ship, aircraft or train in contravention of subsection (3),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Power to deal with diseased animals and birds being imported into Singapore

12.—(1) Where the Director-General or an authorised officer has reasonable grounds for suspecting that there is on board any vehicle, aircraft or ship that has entered or that is about to enter Singapore any animal or bird that is infected with any disease, the Director-General or authorised officer may direct the person who is or who appears to be in command or charge of the vehicle, aircraft or ship to take all or any of the following measures at the person's own expense:

- (a) ensure that any animal or bird on board the vehicle, aircraft or ship is not (as the case requires) removed from the vehicle, aircraft or ship or brought into Singapore;
- (b) arrange for any animal or bird on board the vehicle, aircraft or ship to be examined by an authorised examiner;
- (c) cause any animal or bird on board the vehicle, aircraft or ship which is infected or reasonably suspected to be infected with any disease and any other animal or bird on board the vehicle, aircraft or ship which has or may have come into contact with such animal or bird to be —
 - (i) destroyed and disposed of in such manner as the Director-General or authorised officer may specify;
 - (ii) removed from Singapore;

- (iii) treated in such manner as may be specified in the direction or by the authorised examiner who examined the animal or bird; or
 - (iv) quarantined in such manner, at such place and for such period as the Director-General or authorised officer may specify;
- (d) ensure that the vehicle, aircraft or ship does not enter Singapore or remove the vehicle, aircraft or ship from Singapore (as the case requires), if the Director-General is satisfied that such measure is necessary for the prevention of the introduction or spread of any disease in Singapore.
- (2) No compensation is payable in respect of any animal or bird which is required to be destroyed under subsection (1)(c)(i).
- (3) Any person who fails to comply with any direction given to the person by the Director-General or an authorised officer under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Animals and birds on board ship

13.—(1) Any animal or bird imported or transhipped by sea must, unless an authorised officer has authorised 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 animal or bird dies or is lost from a ship while in the port, the master of the ship must immediately notify an authorised officer of the death or loss.

(3) The master of any ship, in any case —

- (a) in which any animal or bird imported or transhipped by sea in that ship has, in contravention of subsection (1), not been confined while on board the ship in the port; or
- (b) where the master fails without reasonable cause to notify the death or loss of any animal or bird while the ship is in the port,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Permission to land carcasses

14.—(1) A person must not 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 authorised officer who may give written directions as to the manner of its disposal.

(2) Any person —

- (a) landing or removing the carcass of an animal or bird in contravention of subsection (1); or
- (b) who fails to comply with the written directions of an authorised officer given under subsection (1),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Destruction or disinfection of certain articles

15.—(1) Where an authorised officer is of the opinion that any bedding, litter, fodder or other material imported by land, sea or air may convey or spread any animal disease, he or she may —

- (a) seize and detain; and
- (b) order the destruction or disinfection of,

that bedding, litter, fodder or other material.

(2) No compensation is payable in respect of any bedding, litter, fodder or other material that is destroyed under subsection (1).

Export

No person to export any animal or bird without licence

16.—(1) A person must not export any animal or bird or the carcass of any animal or bird except in accordance with —

- (a) a licence in that behalf issued by the Director-General;

- (b) the conditions of that licence, if any; and
- (c) such other conditions as may be prescribed.

(2) A licence to export any animal or bird or the carcase of any animal or bird may be issued upon an application made in the prescribed form to the Director-General and upon the payment of such fees as may be prescribed.

(3) Any person exporting any animal or bird or the carcase of any animal or bird in contravention of subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Examination and treatment of animals and birds before export

17.—(1) Any person who intends to export any animal or bird from Singapore must, if so directed by the Director-General or an authorised officer, arrange, at the person's own expense, for the animal or bird to be examined and, if necessary, treated by an authorised examiner before exporting the animal or bird.

(2) For the purpose of carrying out the examination or treatment of any animal or bird under subsection (1), an authorised examiner may detain the animal or bird at a quarantine station or such other place as may be approved by the Director-General or an authorised officer until the completion of the examination or treatment.

(3) If any animal or bird, upon being examined by an authorised examiner under subsection (1), is certified by the authorised examiner to be infected with any disease —

- (a) the person intending to export the animal or bird must not export the animal or bird without the prior approval of the Director-General or an authorised officer; and
- (b) the Director-General or an authorised officer may direct the person intending to export the animal or bird to treat or destroy the animal or bird at the person's own expense in such manner as may be specified by the Director-General or authorised officer.

(4) Any person who fails to comply with subsection (1) or (3)(a) or with any direction given to the person by the Director-General or an authorised officer under subsection (3)(b) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Certificate of freedom from disease

18.—(1) Any person intending to export any animal or bird or the carcase thereof or any product derived from such animal, bird or carcase may apply to an authorised examiner —

- (a) for a certificate certifying that Singapore is free from such disease as may be specified in the certificate; or
- (b) for the animal, bird, carcase or product (as the case may be) to be examined and thereafter certified as to whether it is free from any disease or other condition.

(2) An application under subsection (1) must be accompanied by the prescribed fee.

PART 3

PREVENTION OF SPREAD OF DISEASE

General

Examination of animal or bird suspected of disease

19.—(1) If the Director-General or an authorised officer has reason to believe that any animal or bird may be infected with any disease, he or she may subject that animal or bird and any article or substance which has been in contact therewith to an examination.

(2) For the purpose of this section —

- (a) the Director-General or authorised officer may —
 - (i) seize the animal or bird as well as the whole or any sample of any article or substance which has been in contact therewith and take them to the place of examination; or

- (ii) in writing direct the owner or person in charge of the animal or bird to deliver the animal or bird as well as the whole or any sample of any article or substance which has been in contact therewith to an authorised examiner at a specified place and time; and
 - (b) the authorised examiner carrying out the examination may take any substance from the animal or bird or destroy the animal or bird and conduct a post-mortem examination on its carcass, if that is the appropriate method by which the authorised examiner may, in accordance with accepted veterinary practice, determine whether the animal or bird has been infected with any particular disease.
- (3) No compensation is payable in respect of any animal or bird which has been destroyed under subsection (2)(b).
- (4) Any person who —
- (a) without lawful excuse, fails to comply with any written direction given to the person under subsection (2)(a)(ii); or
 - (b) without the permission of the Director-General or an authorised officer, removes any animal or bird from the place to which it has been delivered under subsection (2)(a)(ii),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Isolation or destruction of diseased animal or bird

20.—(1) The Director-General or an authorised officer may require the immediate isolation or destruction of any animal or bird if —

- (a) the animal or bird is certified by an authorised examiner, upon any examination carried out under section 19, to be infected with disease;
- (b) the Director-General or authorised officer has other reasonable cause for believing that the animal or bird is infected with disease; or

- (c) the Director-General or authorised officer has reasonable cause for believing that the animal or bird —
- (i) may have been in contact with another animal or bird which is infected with disease;
 - (ii) may have been exposed to disease; or
 - (iii) may perpetuate any disease.

(2) Any person who, without lawful excuse, refuses or fails to isolate or destroy any animal or bird when required to do so by the Director-General or an authorised officer under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Compensation for any animal or bird destroyed

21.—(1) No compensation is payable in respect of any animal or bird which has been destroyed under section 20.

(2) Despite subsection (1), the Minister may authorise the payment of such sum as the Minister may determine as compensation in respect of any animal or bird which has been destroyed.

Post-mortem examination

22.—(1) The Director-General or an authorised officer may cause the carcass of any animal or bird to be subject to a post-mortem examination.

(2) For the purposes of subsection (1), the Director-General or authorised officer may give written directions —

- (a) for the carcass, if already buried, to be exhumed for the purpose of a post-mortem examination; and
- (b) for the carcass to be delivered to an authorised examiner at a specified place and time.

(3) Any person who —

- (a) without lawful excuse, fails to comply with any written direction given to the person under subsection (2); or

- (b) without the permission of the Director-General or an authorised officer, removes the carcass from the place to which it has been delivered under subsection (2)(b),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Animal or bird exposed to infection

23.—(1) If an authorised officer considers that any animal or bird has been exposed to infection to any disease, he or she may give written directions for that animal or bird to be subjected to such treatment as he or she may consider necessary, including vaccine or serum therapy or a combination of such therapy.

(2) Any person who, without lawful excuse, fails to comply with any written direction given to the person under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Disinfection of building

24.—(1) An authorised officer may give written directions for —

- (a) the disinfection in such manner as he or she may determine of any building in which an infected animal or bird has been found or kept;
- (b) prohibiting the use of any such building until the building has been disinfected in accordance with such directions as may have been given under paragraph (a).

(2) Any person who, without lawful excuse, fails to comply with any written direction given to the person under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Destruction of building

25.—(1) If an authorised officer is of the opinion that any building which has been occupied by an infected animal cannot be effectively disinfected, he or she may give written directions, with the approval of the Minister, to the owner or occupier thereof to destroy the building and to burn the materials thereof within such time as may be specified in the direction.

(2) If a written direction given under subsection (1) is not complied with within the time specified in the direction, the authorised officer may cause the building and the materials thereof to be destroyed.

(3) No compensation is payable in respect of any building which has been destroyed by the owner or occupier thereof in compliance with written directions or by an authorised officer under subsection (1) or (2), as the case may be.

(4) Despite subsection (3), the Minister may authorise the payment of such sum as the Minister may determine as compensation in respect of any building mentioned in subsection (3).

(5) Any person who, without lawful excuse, fails to comply with any written direction given to the person under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Disinfection or destruction of articles

26.—(1) An authorised officer may give written directions for the disinfection or destruction of any bedding, clothing, harness, fitting, buckets, pails or utensils whatsoever used in connection with any infected animal or bird.

(2) No compensation is payable in respect of any bedding, clothing, harness, fitting, buckets, pails or utensils destroyed under subsection (1).

(3) Any person who, without lawful excuse, fails to comply with any written direction given to the person under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not

exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Disinfection of person and clothing

27.—(1) An authorised officer may require the disinfection of the body and clothing of any person who has been in contact with or in charge of or attended upon any animal or bird infected with or in the opinion of the authorised officer infected with disease.

(2) Any person who, without lawful excuse, fails to comply with any requirement under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Disinfection of vehicles

28.—(1) An authorised officer may require the disinfection of any vehicle or conveyance —

- (a) entering or leaving an area declared to be an infected area, under section 35; or
- (b) which has been used in the transport of any animal or bird infected with or in the opinion of the authorised officer infected with disease.

(2) Any person who, without lawful excuse, fails to comply with any requirement under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Disposal of infected animal, bird or carcass

29.—(1) A person must not knowingly cast or cause or permit to be cast into any drain, ditch, water channel, street or open space, or otherwise expose —

- (a) any animal or bird or the carcass of any animal or bird which is or has been infected with disease; or
- (b) any fodder, litter, dung or thing which has been used in connection with any infected animal or bird.

(2) Any person who acts in contravention of subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Owner of diseased or dead animal or bird to report

30.—(1) Every owner or person in charge of any animal or bird infected with or reasonably suspected to be infected with disease must —

- (a) immediately make a report to an authorised officer or to the nearest police station; and
- (b) at once cause that animal or bird and all other animals or birds which have been in contact with it to be confined and isolated until the arrival of an authorised officer.

(2) Every owner or person in charge of any animal or bird reasonably suspected to have died of disease must immediately report its death to an authorised officer or the nearest police station and, in the case of an animal, the carcase must not be moved without the written permission from the authorised officer.

(3) It is not an offence to bury the carcase of the animal, if no instructions have been received within 24 hours of making the report referred to in subsection (2).

(4) Where the officer in charge of a police station has communicated the contents of a report by telephone to an authorised officer, he or she must as soon as possible transmit the report to the authorised officer.

(5) Any person who, without reasonable excuse, fails to make a report as required under subsection (1) or (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(6) Any person who, without reasonable excuse —

- (a) fails to cause any animal or bird to be confined and isolated as is required by subsection (1); or

- (b) permits the carcase of an animal or bird to be moved in contravention of subsection (2),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

*Special provisions relating to
animals (other than dogs and cats) and birds*

Application

- 31.** Sections 32 to 36 do not apply to dogs and cats.

Disposal of dead animal or bird

32.—(1) The owner or person in charge of any animal or bird that has died from disease or has been destroyed by order of an authorised officer must burn or otherwise dispose of the carcase thereof in accordance with the written directions of the authorised officer.

(2) Any person who, without reasonable excuse, fails to comply with any written direction given to the person by an authorised officer under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Moving or disposal of diseased or suspected animal or bird

33.—(1) A person must not move or dispose of, whether by sale or otherwise, any animal or bird diseased or reasonably suspected of being diseased or of being a contact of any diseased animal or bird or of the carcase of such an animal or bird, or of the milk, dung or blood of such an animal, except with the written consent of an authorised officer.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Removal of articles from infected premises

34.—(1) An authorised officer may give written directions prohibiting 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, without reasonable excuse, fails to comply with any written direction given to the person under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Infected areas

35.—(1) Whenever there is reasonable cause to believe that any disease exists among any animals or birds in any part of Singapore, the Minister may by order declare that part to be an infected area and may in the order —

- (a) prohibit, either absolutely or conditionally, the removal of any animal or bird or any specified kind of animal or bird into or out of that area; and
- (b) restrict the movement of persons and vehicles, aircraft and ships into, within or out of that area.

(2) When an area has been declared to be an infected area under subsection (1), the Director-General or an authorised officer may give the owner or person in charge of any animal or bird in that area such written directions as the Director-General or authorised officer may consider necessary to control and check the spread of the disease.

(3) Directions issued under subsection (2) may —

- (a) regulate the tying-up, isolation, segregation, movement or slaughter of animals or birds in the infected area; and
- (b) require the taking of any measure as may be specified by the Director-General or authorised officer.

(4) Any animal or bird allowed to stray within an infected area, in contravention of any written direction given under subsection (2), may —

- (a) be destroyed immediately by an authorised officer or any person acting under the authorised officer's direction; or
- (b) be seized and detained until its forfeiture has been declared under the provisions of this Act.

(5) No compensation is payable in respect of any animal or bird so destroyed or seized under subsection (4).

(6) Any person who, without reasonable excuse, fails to comply with any order under subsection (1) or with any written direction under subsection (2) given to the person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Special permission

36. An authorised officer may grant, subject to such conditions as he or she may impose, written permission to the owner of any animal or bird to remove it into or out of any infected area.

Special provisions in connection with rabies

Rabies-infected areas

37.—(1) The Minister may at any time as a precaution against rabies by order declare Singapore or any part thereof to be a rabies-infected area.

(2) A person must not take any dog out of a rabies-infected area or out of Singapore when any part thereof is a rabies-infected area, except in accordance with a written permit issued by an authorised officer.

(3) The owner or person in charge of any dog within a rabies-infected area must cause the dog to be kept under effective control —

- (a) by confining it within an enclosed area from which it would be impossible for the dog to escape;
- (b) by tying it up securely; or
- (c) by leading it with a chain or lead of strong cord or leather properly secured to a collar or harness worn by the dog.

(4) If an authorised officer is satisfied that any dog or class of dogs, whether by reason of prophylactic treatment or otherwise, is immune from infection by rabies, he or she may exempt that dog or class of dogs from the requirements of subsection (3), subject to such conditions as the authorised officer may impose.

(5) Any dog found within a rabies-infected area which is not under effective control under subsection (3) may be destroyed by any person authorised in writing in that behalf by an authorised officer.

(6) Any person authorised under subsection (5) —

- (a) may enter any land, building or premises for the purpose of carrying out the provisions of that subsection;
- (b) must not enter into any dwelling house for that purpose specified under that subsection, except during the day; and
- (c) must, if required, produce and show his or her written authority to the owner, occupier or person for the time being in charge of the land, building or premises.

(7) Any person who acts in contravention of subsection (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(8) Any person who, without reasonable excuse, fails to comply with subsection (3) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Destruction or detention of animal suspected to be infected with rabies

38.—(1) Where an authorised officer reasonably suspects that any animal may be infected with rabies or has been exposed to rabies infection, he or she may either —

- (a) cause the animal to be destroyed immediately; or
- (b) give written directions to the owner or person in charge of the animal requiring that owner or person to take it

immediately to any animal quarantine station for detention and observation.

(2) If the owner or person in charge of the animal fails to comply with the written directions given under subsection (1), the authorised officer may either cause the animal to be destroyed immediately or take possession of the animal and remove it to an animal quarantine station.

(3) The authorised officer may either destroy the animal in the animal quarantine station or may detain it until he or she is satisfied that it is free from disease.

(4) The authorised officer 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 or she may think fit.

(5) No compensation is payable to any person in respect of the destruction of any animal under subsection (1), (2) or (3).

(6) Any person who, without reasonable excuse, fails to comply with any written direction given to the person under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(7) In this section, “animal” means any four-footed beast in captivity or under control.

Detention of any dog that has bitten a person

39.—(1) An authorised officer or police officer may give directions requiring the owner or person in charge of any dog that has or is reasonably believed to have bitten any person to produce the dog at such place and time as the officer may determine.

(2) If the owner or person in charge of the dog fails to comply with the directions given to him or her under subsection (1), the authorised officer or police officer may immediately take possession of the dog and remove it to an animal quarantine station.

(3) Any person who, without lawful excuse, fails to comply with the directions given to the person under subsection (1) shall be guilty

of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

Anti-rabies vaccination of dogs

40.—(1) The Minister may make an order requiring that all dogs within Singapore or any part thereof specified in the order must be submitted to anti-rabies vaccination.

(2) Where an order has been made under subsection (1) an authorised officer may specify periods of time within which, and the place at which, dogs or groups of dogs, must be produced for the purpose of such vaccination.

(3) All such arrangements for vaccination of dogs must be published in such manner as the authorised officer may determine.

(4) The Minister may, by notification in the *Gazette*, require that every dog which has been vaccinated in accordance with the order must, after such date as may be specified in the 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 badge, mark, tag or other evidence of vaccination.

(5) Any dog within the area after the date specified in the notification made under subsection (4), whether the dog is at large or not, which does not carry the proper evidence of vaccination may be destroyed.

(6) An authorised officer may authorise in writing any person to destroy dogs to give effect to subsection (5).

(7) Any person so authorised may enter any land, building or premises for the purpose of carrying out the provisions of subsection (6).

(8) The person so authorised must not enter into any dwelling for that purpose, except during the hours of daylight and must, if required, produce and show his or her written authority to the owner, occupier or person for the time being in charge of the land, building or premises.

(9) If any person in charge of a dog fails to comply with any order or requirement under subsection (1) or (4), as the case may be, an authorised officer may immediately destroy that dog.

(10) Any owner or person in charge of a dog who, without reasonable excuse, fails to comply with an order made under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(11) Any person who, without reasonable excuse, fails to comply with a requirement contained in a notification made under subsection (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(12) No compensation is payable in respect of any dog that is destroyed under this section.

PART 4

ANIMAL WELFARE AND PREVENTION OF CRUELTY TO ANIMALS

[46/2014]

Interpretation of this Part

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

“animal” includes any beast, bird, fish or reptile, whether wild or tame;

“animal-related business” means —

(a) the operation of any place or establishment for the purpose of —

(i) using or holding animals for display, sport, entertainment, sale, breeding or conservation;
or

(ii) the care, boarding, grooming, treatment, vaccination, inoculation, training or destruction of animals, for reward;

- (b) the provision of any service relating to the care, boarding, grooming, treatment, vaccination, inoculation, training, transportation, capture or destruction of animals, for reward; or
- (c) the operation of any animal rescue or welfare organisation or facility,

but does not include any business in respect of animals intended for consumption;

“code of animal welfare” means any code of animal welfare issued, adopted or amended by the Director-General and in force under section 41A;

“employment”, in relation to an animal-related business, includes the holding of the office, or purporting to act in the capacity, of a director, manager, partner, secretary or other analogous position in the animal-related business;

“owner”, in relation to an animal, includes a person in charge of the animal;

“person in charge”, in relation to an animal, means a person who has, whether permanently or on a temporary basis, the animal in the person’s possession, custody or control, or under the person’s care or supervision, and includes an individual who has the animal in such a manner in the course of the individual’s employment;

“reward” means any payment or other benefit (whether monetary or otherwise).

[46/2014]

Codes of animal welfare

41A.—(1) The Director-General may, from time to time, for the purposes of this Part —

- (a) issue one or more codes of animal welfare;
- (b) adopt as a code of animal welfare, with or without any modification, any document (or any part of such

document) prepared by any person in or outside Singapore;
or

- (c) amend or revoke any code of animal welfare issued or adopted under this subsection,

with respect to the standards of care to be provided or observed in respect of any animal or class of animals.

[46/2014]

(2) Upon issuing, adopting, amending or revoking a code of animal welfare under subsection (1), the Director-General must —

- (a) publish a notice of the issue, adoption, amendment or revocation (as the case may be) in such manner as will secure adequate publicity for such issue, adoption, amendment or revocation;
- (b) specify the date of the issue, adoption, amendment or revocation (as the case may be) in the notice; and
- (c) ensure that the code of animal welfare (including any amendment made to the code of animal welfare) remains available for access or inspection without charge by the public.

[46/2014]

(3) Any issue, adoption, amendment or revocation of a code of animal welfare under subsection (1) does not have any force or effect until the notice relating to it has been published in accordance with subsection (2)(a) and (b).

[46/2014]

(4) If any provision of any code of animal welfare in force under this section is inconsistent with any provision of this Act or any rule made under this Act, the provision in the code of animal welfare does not, to the extent of the inconsistency, have effect.

[46/2014]

(5) The Director-General may, either generally or for such time as the Director-General may specify, waive the application of any code of animal welfare (or any part of such code) issued, adopted or amended under this section to any animal owner or class of animal owners, or in respect of any animal or class of animals.

[46/2014]

(6) Any code of animal welfare issued under this section is deemed not to be subsidiary legislation.

[46/2014]

Use of codes of animal welfare in proceedings

41B.—(1) A person shall not be liable to any criminal proceedings by reason only that the person has failed to observe any provision of a code of animal welfare.

[46/2014]

(2) In any criminal proceedings, any party to the proceedings may rely upon —

- (a) the failure of a person to comply with a provision of a code of animal welfare which applies to that person; or
- (b) that person's compliance with that provision,

as tending to establish or negate any liability which is in question in the proceedings.

[46/2014]

Duty of care of animal owners

41C.—(1) Every owner of an animal —

- (a) must take reasonable steps to ensure that —
 - (i) the animal is provided with adequate and suitable food and water, taking into account its dietary needs;
 - (ii) the animal is provided with adequate shelter;
 - (iii) the animal is not kept in confinement, conveyed, lifted, carried or handled in a manner or position that subjects the animal to unreasonable or unnecessary pain or suffering; and
 - (iv) the animal is protected from, and rapidly diagnosed with, any significant injury or disease;
- (b) must not abandon the animal, or cause or permit the animal to be abandoned, whether permanently or temporarily, without reasonable cause or excuse;

- (c) in the case where the animal is missing, must make reasonable efforts to recover the animal; and
- (d) must take reasonable steps to ensure that the animal is cared for in accordance with the codes of animal welfare applicable to the animal.

[46/2014]

(2) Any person who fails to comply with subsection (1)(a), (b) or (c) shall be guilty of an offence.

[46/2014]

(3) A person who is guilty of an offence under subsection (2) shall be liable on conviction —

(a) in the case where the person commits the offence in the course of carrying on, or employment or purported employment with, an animal-related business —

- (i) for a first offence, to a fine not exceeding \$40,000 or to imprisonment for a term not exceeding 2 years or to both; and
- (ii) for a second or subsequent offence, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 3 years or to both; or

(b) in any other case —

- (i) for a first offence, to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both; and
- (ii) for a second or subsequent offence, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 2 years or to both.

[46/2014]

(4) For the purpose of subsection (3), a person is a repeat offender if the person who is convicted, or found guilty, of an offence under subsection (2) has (whether before, on or after 16 January 2015) been convicted or found guilty on at least one other earlier occasion of an offence under section 42(1)(f) in force immediately before that date.

[46/2014]

Cruelty to animals

42.—(1) Any person who —

- (a) cruelly beats, kicks, ill-treats, over-rides, over-drives, over-loads, tortures, infuriates or terrifies any animal;
- (b) causes or procures or, being the owner, permits any animal to be so used;
- (c) by rashly 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;

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

shall be guilty of an offence.

[46/2014]

(2) For the purposes of subsection (1), an owner is deemed to have permitted cruelty to an animal, if the owner has failed to exercise reasonable care and supervision in respect of the animal.

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

(4) A person who is guilty of an offence under subsection (1) shall be liable on conviction —

- (a) in the case where the person commits the offence in the course of carrying on, or employment or purported employment with, an animal-related business —
- (i) for a first offence, to a fine not exceeding \$40,000 or to imprisonment for a term not exceeding 2 years or to both; and
 - (ii) for a second or subsequent offence, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 3 years or to both; or
- (b) in any other case —
- (i) for a first offence, to a fine not exceeding \$15,000 or to imprisonment for a term not exceeding 18 months or to both; and
 - (ii) for a second or subsequent offence, to a fine not exceeding \$30,000 or to imprisonment for a term not exceeding 3 years or to both.

[46/2014]

Prescribed activities and services to be performed by qualified individuals

43.—(1) A person carrying on any prescribed animal-related business must not employ or engage any individual to perform any prescribed activity or service, or prescribed class of activities or services, relating to the ownership of an animal or class of animals unless the individual holds such qualifications or has completed such training as the Director-General may specify.

[46/2014]

(2) The Director-General must publish on a prescribed website the Director-General's specifications on qualifications and training under subsection (1).

[46/2014]

(3) Any person carrying on a prescribed animal-related business who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

[46/2014]

Power to issue directions

43A.—(1) The Director-General may in any particular case issue to the owner of an animal such directions as the Director-General considers necessary to ensure that —

- (a) the welfare of the animal is safeguarded; or
 - (b) the provisions of this Part are complied with,
- and the owner must comply with the directions.

[46/2014]

(2) Any person who, without reasonable excuse, fails to comply with any direction issued to the person under subsection (1) shall be guilty of an offence and shall be liable on conviction —

- (a) in the case where the person commits the offence in the course of carrying on, or employment or purported employment with, an animal-related business, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both; or
- (b) in any other case, to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

[46/2014]

Disqualification orders

43B.—(1) Where a person is convicted of an offence under section 41C(2), 42(1) or 43(3), the court before which the person is convicted of that offence may, in addition to the punishment provided for that offence —

- (a) in the case where the person commits the offence in the course of carrying on, or employment or purported employment with, an animal-related business, disqualify the person from —
 - (i) carrying on any animal-related business or class of animal-related businesses; or

(ii) being a person in charge of any animal or class of animals in the course of any employment with any animal-related business; or

(b) in any other case, disqualify the person from owning any animal or any class of animals,

for a period not exceeding 12 months starting on such date as the court may specify.

[46/2014]

(2) Where a court makes a disqualification order against a person under subsection (1), the court may make such order as it thinks fit for the disposal of any animal owned by the person at the time of the making or start of the disqualification order.

[46/2014]

(3) Any person who contravenes a disqualification order made against the person under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

[46/2014]

(4) Any person carrying on the business of an animal-related business who, knowingly or with reckless disregard, employs any individual in any capacity that is prohibited by a disqualification order made against that individual under subsection (1)(a)(ii) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

[46/2014]

Orders by Magistrate when an offence has been committed

44.—(1) When any person has been convicted of an offence under this Part, the court may order —

(a) that the animal in respect of which the offence was committed be taken to a veterinary centre or such other place as the court may specify and there detained and treated for any period stated in the order, or until released by further order of a Magistrate or until an authorised officer has certified in writing that it may properly be released;

- (b) that the animal be treated by an authorised officer or by a person licensed under section 53 to treat animals and not used during such period as may be stated in the order or until permission to use it has been given by a Magistrate or an authorised officer; or
- (c) if satisfied that the animal is incurably diseased or injured, that it be destroyed immediately by or under the direction of a police officer or an authorised officer and that the cost of burying or otherwise disposing of the carcass be borne by the person convicted.

[46/2014]

(2) Where the court makes an order under subsection (1)(a), the person who has been convicted of an offence in respect of the animal is liable to pay the costs and expenses for its maintenance and treatment until it is declared fit for release or use.

(3) Without affecting subsection (1), where the owner of any animal is convicted of an offence under this Part, the court may, upon convicting the owner, if it thinks fit, in addition to any other punishment, deprive him or her of the ownership of the animal and make such order as to the disposal of the animal as the court thinks fit.

[46/2014]

(4) The court is not to make an order under subsection (3) unless it is satisfied by evidence as to a previous conviction, or as to the character of the owner or otherwise, that the animal, if left with the owner, is likely to be exposed to cruelty.

(5) Any person who acts in contravention of the provisions of an order made under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Power to order destruction of animals

45.—(1) An authorised officer or a police officer who has satisfied himself or herself by personal inspection or otherwise —

- (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 the officer's 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 give written directions requiring the animal to be destroyed and those directions may immediately be carried out by or under the supervision of that authorised officer or police officer or any other person authorised in that behalf by the authorised officer or police officer.

(2) If the animal so diseased or injured is in any house, stable, shed, or enclosure proper for that animal and not in a public thoroughfare, market or place, written directions must not be given until the owner of the animal (if known) has been duly notified of the state of the animal.

[46/2014]

(3) If any animal is destroyed under written directions given under subsection (1), the expenses of the removal and burial of the carcass of the animal must be paid by the owner of the animal and the amount of the expenses may be recovered from that owner in a summary manner before a Magistrate.

[46/2014]

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

46. No compensation is in any case payable to any person in respect of the destruction of any animal —

- (a) under an order made under section 44(1)(c);
- (b) under written directions given under section 45(1); or
- (c) in compliance with a written request to an authorised officer or a person in charge of a veterinary centre or such other place as provided for in section 44(1) by any person professing to be the owner of the animal.

Award to informer

47. The court before which any person is convicted of an offence under this Part may direct any fine or portion of any fine imposed and levied under this Act to be paid to the informer.

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

48.—(1) A person must not keep in captivity for sale, export or exhibition any animal or bird in any place which has not been licensed in that behalf under this Act.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

PART 5**CONTROL OF LIVESTOCK****Movement or slaughter of animals and birds may be prohibited**

49.—(1) The Minister may by order —

- (a) prohibit for such period as may be specified in the order the movement of any animals and birds from one part of Singapore to another except under a licence;
- (b) prohibit during such period or periods as may be specified in the order the slaughter of any animal or bird except under a licence.

(2) A licence issued in accordance with an order made under subsection (1) is subject to such conditions as may be contained in the order or the licence.

(3) Any person who contravenes the provisions of an order made under this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

PART 6
ENFORCEMENT POWERS

[46/2014]

Powers of search, etc.

50.—(1) For the purpose of ascertaining whether any animal or bird is suffering from disease or for the purpose of ascertaining whether any offence under this Act has been or is being committed —

- (a) any authorised officer or police officer may enter and examine any land, building or premises on or in which the officer suspects any animal or bird is being kept, for the purpose of examining the animal, bird, land, building or premises, and the owner of the land, building, premises, animal or bird must render the authorised officer or police officer all necessary assistance and provide such information as may be required of the owner; and
- (b) any authorised officer, police officer or officer of customs may stop, enter and examine any conveyance used for carrying animals.

[46/2014]

(2) Any authorised officer, police officer or officer of customs acting under subsection (1) may, if the circumstances so warrant, with such assistance as he or she thinks necessary, remove anything obstructing his or her entry to the premises or conveyance or break open any door, window, lock, fastener, hold, compartment, box, container or any other thing.

(2A) Any authorised officer, police officer or officer of customs acting under subsection (1) may take such photographs or audio or video recordings as necessary of any premises or conveyance referred to in that subsection (including anything in the premises or conveyance).

[46/2014]

(2B) Any authorised officer, police officer or officer of customs may stop and examine in any street or public place any animal in

respect of which the officer has reason to believe that an offence under this Act has been or is being committed.

[46/2014]

(3) No compensation is payable to any person in respect of any damage to the person's property caused or occasioned by any act authorised by subsection (2).

(4) Any person in charge of a conveyance who does not stop when required to do so by any authorised officer, police officer or officer of customs under subsection (1)(b) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Powers of seizure

51.—(1) Where any authorised officer or police officer has reason to believe that any offence under this Act has been or is being committed or where any officer of customs has reason to believe that an offence under this Act relating to import or export has been or is being committed, the authorised officer, police officer or officer of customs may —

- (a) seize any animal, bird, carcase or article which is the subject matter of such an offence;
- (aa) seize any article or conveyance with which or by means of which, the offence is reasonably suspected to have been committed; and
- (b) remove that animal, bird, carcase, article or conveyance to any compound, enclosure or other place selected by the authorised officer and there detain it.

[46/2014]

(2) Where any animal, bird, carcase, article or conveyance has been seized and detained under subsection (1), the authorised officer, police officer or officer of customs must report the same to a Magistrate and the Magistrate may make such order for the further detention or release of the animal, bird, carcase, article or conveyance as the Magistrate may think fit.

[46/2014]

(3) The owner of the animal, bird, carcass, article or conveyance must pay such sum as the Magistrate may consider reasonable to cover the expenses connected with its removal to a place of detention and unless that sum is paid within a specified time the animal, bird, carcass, article or conveyance must be forfeited.

[46/2014]

Powers of arrest

52.—(1) An authorised officer, a police officer or an officer of customs may arrest without warrant any person whom the officer reasonably suspects of committing or attempting to commit an offence under this Act.

[46/2014]

(1A) The officer making an arrest under this section must not restrain the person arrested more than is necessary to prevent the person's escape.

[46/2014]

(2) Any authorised officer, police officer or officer of customs making an arrest without warrant must, subject to subsection (3), without unnecessary delay bring the person arrested before a Magistrate's Court.

(2A) A person who is arrested under this section must not be detained in custody for a period longer than is reasonable under the circumstances of the case, and such period must not exceed 48 hours (excluding the time necessary for the journey to a Magistrate's Court).

[46/2014]

(3) A person who has been arrested by any authorised officer, police officer or officer of customs must not be released, except on the person's own bond or on bail or on the special order in writing of the Magistrate or the Director-General.

Powers of investigation

52A.—(1) For the purposes of investigating any offence under this Act, an authorised officer, a police officer or an officer of customs may do all or any of the following:

- (a) examine orally any person who appears to be material to the investigation —
- (i) whether before or after that person or anyone else is charged with an offence in connection with the case; and
 - (ii) whether or not the person is to be called as a witness in any inquiry, trial or other proceeding in connection with the case;
- (b) issue a written notice requiring any person within the limits of Singapore, who appears to be material to the investigation, to attend before the officer;
- (c) require any person who is reasonably believed to have —
- (i) any information; or
 - (ii) any document or article in the person's possession, custody or control,
- relevant to the investigation, to provide that information, or produce that document or article.

[46/2014]

(2) Any person examined under this section is bound to state truly what the person knows of the facts and circumstances of the case, except that the person need not say anything that might expose the person to a criminal charge, penalty or forfeiture.

[46/2014]

(3) A statement made by any person examined under this section must —

- (a) be reduced to writing;
- (b) be read over to the person;
- (c) if the person does not understand English, be interpreted in a language that the person understands; and
- (d) after correction (if necessary), be signed by the person.

[46/2014]

(4) If any person fails to comply with a written notice issued to the person by the authorised officer, police officer or officer of customs

under subsection (1)(b), the officer may report such failure to a Magistrate who may then issue a warrant ordering the person to comply with the written notice.

[46/2014]

(5) Subject to subsection (6), an authorised officer, a police officer or an officer of customs may take possession of, or any extract from or copy of, any document or article produced under subsection (1)(c) for further investigation.

[46/2014]

(6) Any thing taken possession of by an authorised officer, a police officer or an officer of customs under subsection (5) —

- (a) must be placed in safe custody by the officer; and
- (b) unless ordered otherwise by a court, may be retained by the officer until the completion of any proceedings (including proceedings on appeal) in which it may be evidence.

[46/2014]

(7) Any person who, without reasonable excuse, refuses or fails to comply with any notice issued to the person under subsection (1)(b) or with any requirement made of the person under subsection (1)(c) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both.

[46/2014]

PART 7

LICENSING OF VETERINARY CENTRE, VETERINARY BIOLOGICS AND KEEPING, BREEDING, ETC., OF ANIMAL OR BIRD

Licence to treat, vaccinate and inoculate animal or bird

53.—(1) A person other than an authorised officer must not treat, vaccinate or inoculate any animal or bird except under and in accordance with the conditions of a licence issued by the Director-General.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding

\$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Veterinary centres to be licensed

54.—(1) A person must not use or permit any premises to be used as a veterinary centre except under and in accordance with the conditions of a licence issued by the Director-General.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Licence to possess or inoculate veterinary biologics

55.—(1) A person other than an authorised officer must not —

(a) have in the person's possession any veterinary biologics; or

(b) inoculate any animal or bird with any veterinary biologics,

except under and in accordance with the conditions of a licence issued by the Director-General.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Brands or other identification marks may be applied to animals and birds

56.—(1) The Director-General or an authorised officer may give directions to the owner or person in charge of any animal or bird to have that animal or bird branded, labelled or otherwise marked, either permanently or temporarily, for the purpose of identification.

(2) The branding, labelling or marking of any animal or bird under subsection (1) must be carried out by a person designated by the Director-General under subsection (3) and the costs thereof must be borne by the owner or person in charge of the animal or bird.

(3) The Director-General may designate any person to carry out the branding, labelling or marking of animals and birds for the purpose of this section.

(4) Any person who —

(a) fails to comply with any direction given to the person under subsection (1); or

(b) counterfeits, copies, alters, defaces or erases any brand, label or mark applied on any animal or bird under this section,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

PART 8

QUARANTINE

Quarantine stations

57.—(1) The Director-General may establish or designate such number of quarantine stations as the Director-General thinks necessary for the purposes of this Act.

(2) For the purposes of subsection (1), the Director-General may engage the service of any suitably qualified person to provide such number of quarantine stations as the Director-General thinks necessary and to manage any quarantine station established by the Director-General under subsection (1).

Prohibition against use of premises as unauthorised quarantine stations

58.—(1) A person must not use or permit any premises to be used as a quarantine station for animals or birds unless such premises have been designated by the Director-General as a quarantine station under section 57.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months.

Regulation and control of keeping, breeding or feeding of animals and birds

59.—(1) The Minister may make rules for the following purposes:

- (a) to prohibit, either absolutely or subject to such conditions as may be prescribed, the keeping, breeding or feeding in any private or public place of any animal or bird or type thereof;
- (b) to regulate the keeping, breeding or feeding in any private or public place of any animal or bird or type thereof; and
- (c) to provide for the impounding of stray cats or dogs found in any public place.

(2) Without limiting subsection (1), rules made under that subsection may —

- (a) require any person intending to keep or breed any animal or bird or type thereof in any private or public place to obtain a licence from the Director-General and to comply with the conditions of such licence;
- (b) provide for the licence to be issued in respect of either or both —
 - (i) the animal or bird to be kept or bred; and
 - (ii) the place at which the animal or bird is to be kept or bred; and
- (c) empower the Director-General or an authorised officer to remove or destroy or cause the removal or destruction of any animal or bird in connection with which any contravention of any rule made under this section has been committed.

(3) No compensation is payable in respect of any animal or bird which is required by any rules made under subsection (2)(c) to be destroyed.

(4) Section 80(3) applies in respect of rules made under this section.

PART 9

OFFENCES AND PENALTIES

Obstructing officers in execution of their duties

60. Any person who, without lawful excuse, obstructs or impedes or assists in obstructing or impeding any authorised officer, officer of customs or police officer in the exercise of the officer's duties under this Act or any rule or order made thereunder shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Giving false information

60A. A person —

- (a) who intentionally alters, suppresses or destroys any document or information which the person has been required by or under section 52A to produce or provide; or
- (b) who, in producing or providing any document or information required by or under section 52A, makes any statement which the person knows or ought reasonably to know that, or is reckless as to whether, it is false or misleading in a material particular,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

[10/2019]

Altering licences

61. Any person who, without lawful authority, alters any licence or permit issued under this Act or knowingly makes use of any licence or permit so altered shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Suspension and revocation of licences and permits

62.—(1) The Director-General may suspend or revoke a licence or permit if the Director-General is satisfied that —

- (a) the issue of the licence or permit has been obtained by fraud or misrepresentation;
- (b) the person to whom the licence or permit has been issued is contravening or has contravened or has failed to comply with —
 - (i) any of the provisions of this Act;
 - (ii) any condition of the licence or permit; or
 - (iii) any direction given to the person by the Director-General or an authorised officer under this Act or by the Director-General, Food Administration under Part 2A of the Sale of Food Act 1973; or
- (c) it is in the public interest to suspend or revoke the licence or permit.

[48/2017; 10/2019]

(2) The Director-General must, before suspending or revoking the licence or permit under subsection (1) —

- (a) give the holder of the licence or permit written notice of the Director-General's intention to do so; and
- (b) in such notice call upon the holder of the licence or permit to show cause within such time as may be specified in the notice as to why the licence or permit should not be suspended or revoked.

(3) If the holder of the licence or permit —

- (a) fails to show cause within the period of time given to the holder to do so or such extended period of time as the Director-General may allow; or
- (b) fails to show sufficient cause,

the Director-General must give written notice to the holder of the licence or permit of the date from which the suspension or revocation of the licence or permit is to take effect.

(4) Any person who is aggrieved by the suspension or revocation of the person's licence or permit may, within 7 days from the date of receipt of the notice informing the person of the suspension or revocation, appeal in writing to the Minister whose decision is final.

(5) Even though an appeal under subsection (4) is pending, the suspension or revocation of a licence or permit under subsection (3) takes effect from the date of suspension or revocation specified by the Director-General, unless the Minister otherwise orders.

Penalties for offences for which no expressed penalty is provided

63. Any person guilty of an offence under this Act, or any rule or order made thereunder for which no expressed penalty is provided shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Forfeiture

64.—(1) The court before which any person is tried for an offence under this Act may make an order for the forfeiture of any item which has been seized under the provisions of this Act if —

(a) the court is satisfied that —

- (i) an offence under this Act has been committed; and
- (ii) the item seized was the subject matter, or was used in the commission, of the offence; and

(b) having regard to the circumstances of the case, the court thinks it fit to order the forfeiture of the item.

(2) Where no party raises the question of forfeiture under subsection (1), the court is to consider the question on its own motion.

(3) The court may make an order under subsection (1) for the forfeiture of any item which has been seized under the provisions of this Act even though no person may have been convicted of an offence.

(4) If the court, having regard to the circumstances of the case, does not think it fit to order the forfeiture of any item which has been

seized under the provisions of this Act, the court is to order that the item be released to the owner thereof or to the person entitled thereto.

(5) In the absence of any prosecution with regard to any item which has been seized under the provisions of this Act, the Director-General must give the person from whom the item was seized or the owner of the item written notice that the item is, on the expiry of 7 days from the date specified in the notice, deemed to be forfeited unless a claim thereto is made before then in accordance with subsection (6).

(6) A person asserting —

(a) that the person is the owner of, or is entitled to, any item which has been seized under the provisions of this Act; and

(b) that the item is not liable to forfeiture,

may, personally or by the person's agent authorised in writing, give written notice to the Director-General that the person claims the item.

(7) On receipt of a notice under subsection (6), the Director-General may direct that the item be released to the person who has given the notice or may refer the matter to a court for decision.

(8) Where no claim is received on the expiry of 7 days from the date specified in the notice mentioned in subsection (5), the item to which the notice relates is deemed to be forfeited.

(9) Where the owner of any item seized under the provisions of this Act consents to its disposal, the item is thereupon deemed to be forfeited.

(10) Any item forfeited or deemed to be forfeited under this section must be delivered to an authorised officer and must be disposed of in such manner as the Director-General thinks fit.

(11) In this section, "item" means any animal, bird, carcass or any other article.

Presumptions

65.—(1) Where the owner or person in charge of a diseased animal or bird is charged with an offence under this Act in respect of the disease, the owner or person is presumed to have known of the

existence of the disease in the animal or bird until the owner or person shows to the satisfaction of the court before which the owner or person is charged that the owner or person 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 the animal or bird, or the occupier of the premises frequented by it may be presumed to be the owner thereof until the contrary is proved.

Offences committed by bodies corporate and by agents and servants

66.—(1) Where an offence under this Act has been committed by a body corporate, a partnership or an unincorporated association of persons, any person who at the time of the commission of the offence was a director, manager, partner, secretary or other similar officer thereof, or was purporting to act in any such capacity, shall be guilty of that offence unless he or she proves that —

- (a) the offence was committed without his or her consent or connivance; and
- (b) he or she had exercised all such diligence to prevent the commission of the offence as he or she ought to have exercised having regard to the nature of his or her functions in that capacity and to all the circumstances.

(2) Where an offence under this Act is committed by any person acting as an agent or servant of another person, or being otherwise subject to the supervision or instruction of another person for the purposes of any employment in the course of which the offence was committed, that other person shall, without affecting the liability of the firstmentioned person, be liable under this Act in the same manner and to the same extent as if that other person had personally committed the offence if it is proved that the act which constituted the offence was committed with that other person's consent or connivance or that it was attributable to any neglect on that other person's part.

Jurisdiction of court

67.—(1) Despite any provision to the contrary in the Criminal Procedure Code 2010, a District Court and a Magistrate’s Court have jurisdiction to try any offence under this Act and have power to impose the full penalty or punishment in respect of any offence under this Act.

(2) For the purpose of section 151 of the Criminal Procedure Code 2010, on receiving the complaint in writing and signed by the Director-General or an authorised officer, the Magistrate must proceed to issue a summons or warrant in accordance with section 153 of the Criminal Procedure Code 2010.

[15/2010]

Evidence

68.—(1) Subject to subsection (3) —

- (a) a document or certificate purporting to be a report under the hand of the Director-General or an authorised officer upon any matter or thing in connection with the administration or enforcement of this Act or with any investigation carried out under this Act is admissible as evidence in any proceedings under this Act and is prima facie evidence of the facts stated therein; and
- (b) a certificate of an authorised examiner stating that he or she has examined any animal or bird or any other matter and stating the result of his or her examination is admissible as evidence in any proceedings for an offence under this Act and is prima facie evidence of the facts stated therein and of the correctness of the result of the examination.

(2) For the purposes of this section, a document purporting to be a certificate mentioned in subsection (1) on its production by the prosecution is, unless the contrary is proved, presumed to be such a certificate.

(3) A certificate mentioned in subsection (1) is not to be received in evidence pursuant to that subsection unless the person charged has been given —

- (a) a copy of the certificate; and
- (b) notice of the intention of the prosecution to produce the certificate as evidence in the proceedings,

at least 10 clear days before the date of commencement of the proceedings.

(4) Where a certificate of the Director-General, an authorised officer or an authorised examiner is admitted in evidence under subsection (1), the person charged may require the Director-General, authorised officer or authorised examiner to be called as a witness for the prosecution and be cross-examined as if he or she had given evidence of the matters stated in the certificate.

Composition of offences

69.—(1) The Director-General or any officer authorised in writing in that behalf by the Board may compound any offence under this Act that is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding \$1,000.

[10/2019]

(2) On payment of the sum, no further proceedings are to be taken against that person in respect of the offence.

(3) All composition sums collected under this section must be paid into the Consolidated Fund.

[10/2019]

PART 10

MISCELLANEOUS PROVISIONS

Fees, etc., payable to Board

70. All fees, charges and moneys collected under this Act or any rules made under this Act (except composition sums) must be paid to the Board.

[10/2019]

Expenses

71. Any expense incurred by an authorised officer or other officer in the exercise of the powers conferred on him or her by this Act or any rule, order or direction made or given thereunder is to be charged against the owner, consignor, consignee or importer (as the case may be) of the animal, bird, carcase, article, building or conveyance concerned and may be recovered as a civil debt.

Action to be at risk and expense of owner

72.—(1) Any action taken under the provisions of this Act or of any rule, order or direction made or given thereunder in respect of any animal, bird, carcase, article, building or conveyance is at the risk of the owner thereof.

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

[10/2019]

Powers of Director-General and authorised officer in cases of non-compliance with Act or any direction or order

73.—(1) If a person to whom any of the provisions of this Act applies or to whom any direction or order is given under this Act fails to comply with such provision, direction or order, then, without prejudice to any proceedings that may be instituted against that person for such non-compliance, the Director-General or an authorised officer may perform any act or take any measure as is required by the provision, direction or order to be performed or taken and recover any costs and expenses reasonably incurred by him or her from that person.

(2) In exercising the powers conferred by subsection (1), the Director-General or authorised officer may, without warrant, enter any premises, vehicle, ship or aircraft and, if the circumstances so warrant, may use such force as may be necessary to effect such entry.

Power to require production of documents, etc.

74.—(1) For the purpose of discharging his or her functions and duties under this Act, the Director-General or an authorised officer may at any time require any person —

- (a) to produce to the Director-General or authorised officer for inspection or for the purpose of obtaining copies or extracts, or to provide the Director-General or authorised officer with copies or extracts of, any book, shipping bill, bill of lading or other document or record that the Director-General or authorised officer believes on reasonable grounds to contain any information relevant to the administration or enforcement of this Act; or
- (b) to provide any information as the Director-General or authorised officer may reasonably require.

(2) The Director-General or an authorised officer may record any information provided by any person under subsection (1)(b) as a statement which is admissible as evidence in any proceedings in connection with any offence under this Act.

(3) Any person who fails to comply with any requirement made by the Director-General or an authorised officer under subsection (1)(a) or (b) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Form and authentication of notices, orders and other documents

75.—(1) All notices, orders and other documents of any nature which the Director-General is empowered to give by this Act may be in such form as the Director-General may determine, and may be given by any authorised officer.

(2) Where any such notice, order or document requires authentication —

- (a) the signature of the Director-General or an authorised officer; or
- (b) an official facsimile of such signature,

appended thereto is sufficient authentication.

Inaccuracies in documents

76.—(1) Any misnomer or inaccurate description of any person, animal, bird, premises, building, street, place, vehicle, aircraft, ship or other conveyance named or described in any notice, order or document prepared, issued or served under or for the purposes of this Act does not affect in any way the operation of this Act as respects that person, animal, bird, premises, building, street, place, vehicle, aircraft, ship or other conveyance if that person, animal, bird, premises, building, street, place, vehicle, aircraft, ship or other conveyance is so designated in the notice, order or document as to be identifiable.

(2) No proceedings taken under or by virtue of this Act are to be invalid for want of form.

Service of documents

77.—(1) Any notice, order or document required or authorised by this Act to be served on any person, and any summons issued by a court against any person in connection with any offence under this Act may be served on the person —

- (a) by delivering it to the person or to an adult member or employee of his or her family or household at his or her usual or last known place of residence;
- (b) by leaving it at the person's usual or last known place of residence or business in an envelope addressed to the person;
- (c) by sending it by registered post addressed to the person at the person's usual or last known place of residence or business; or
- (d) in the case of an incorporated company, a partnership or a body of persons —
 - (i) by delivering it to the secretary or other similar officer of the company, partnership or body of

persons at its registered office or principal place of business; or

- (ii) by sending it by registered post addressed to the company, partnership or body of persons at its registered office or principal place of business.

(2) Any notice, order, document or summons sent by registered post to any person in accordance with subsection (1) is deemed to be duly served on the person at the time when the notice, order, document or summons (as the case may be) would in the ordinary course of post be delivered and, in proving service of the notice, order, document or summons, it is sufficient to prove that the envelope containing the same was properly addressed, stamped and posted by registered post.

(3) Any notice, order or document required or authorised by this Act to be served on the owner or occupier of any premises or any summons issued by a court against any such owner or occupier in connection with any offence under this Act may be served by delivering it or a true copy thereof to any adult person on the premises or, if there is no such person on the premises to whom it can with reasonable diligence be delivered, by affixing the notice, order, document or summons to a conspicuous part of the premises.

(4) Any notice, order or document required or authorised by this Act to be served on the owner or occupier of any premises or any summons issued by a court against any such owner or occupier in connection with any offence under this Act is deemed to be properly addressed if addressed by the description of the owner or occupier of the premises without further name or description.

Protection from liability

78. No suit or other legal proceedings shall lie against the Board, the Director-General or any authorised officer, police officer, officer of customs or any other person acting under the direction of the Board or Director-General for anything which is in good faith done in the execution or purported execution of this Act.

[10/2019]

Exemption

79. The Director-General may, subject to any general or special directions of the Minister, exempt any person, premises, animal or bird or any class of persons, premises, animals or birds from any of the provisions of this Act.

Rules

80.—(1) The Minister may make rules for carrying out the purposes of this Act and for any matter which is required under this Act to be prescribed.

(2) Without limiting subsection (1), the Minister may make rules —

- (a) to provide for the designation of an authorised examiner, the conditions to be complied with by an authorised examiner and the suspension or revocation of any such designation;
- (b) to provide for the manner in which the quarantining, examination, treatment and certification of animals and birds are to be carried out;
- (c) to regulate the import, export and transshipment of animals, birds or carcasses;
- (d) to provide for the prevention of the introduction and spread and for the control and eradication of diseases of animals and birds;
- (e) to provide for the cleansing or disinfection of buildings, vehicles, aircraft or ships in which diseased animals, birds or carcasses have been kept or carried;
- (f) to provide for the disinfection of persons and the disinfection and treatment of animals, birds or articles that have been in contact with diseased animals, birds or carcasses;
- (g) to regulate and control the sale, marketing and distribution of animals and birds and their products;
- (h) to provide for the licensing, control, supervision and inspection of places in which animals or birds are or may

be kept in captivity for sale, export, exhibition, production, or any other purpose;

- (*ha*) to provide for the licensing, control, supervision and inspection of places and establishments where animals (as defined in section 41) are or may be boarded for reward;
- (*i*) to provide for the inspection of premises subject to this Act and of vehicles, aircraft or ships used for the carriage of animals and birds;
- (*j*) to provide for the control of pollution caused by animals and the imposition of fees and charges for the purpose of such control together with the time, place and manner of collection;
- (*k*) to provide for the control and improvement of animal or bird production in respect of breeding, nutrition, health, management, husbandry and method of production;
- (*l*) to provide for the supply, collection and compilation of information and statistics of animals and birds and their products, including prescribing the records that must be kept by licensees and the provision of returns and other information by licensees to the Director-General with respect to the animals or birds or their products which are the subject of activity authorised by the licence;
- (*m*) to provide for the establishment and designation of quarantine stations;
- (*n*) to regulate the management and maintenance of quarantine stations and veterinary centres;
- (*o*) to prescribe the fees to be charged for the purposes of this Act;
- (*p*) to prescribe the offences which may be compounded under section 69 and the method and procedure by which such offences may be compounded; and

- (q) to provide for matters relating to the employment or engagement of qualified or trained individuals by persons carrying on animal-related businesses.

[46/2014; 10/2019]

(3) The Minister may, in making any rules, provide that any contravention of, or failure or neglect to comply with, any provision of the rules or any directive issued by the Director-General pursuant to the rules shall be an offence punishable with a fine not exceeding \$10,000 or with imprisonment for a term not exceeding 12 months or with both.

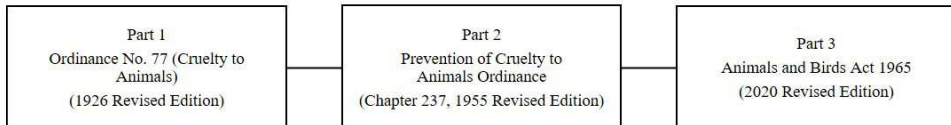
(4) All rules made under this Act must be presented to Parliament as soon as possible after publication in the *Gazette*.

LEGISLATIVE HISTORY

ANIMALS AND BIRDS ACT 1965

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

PICTORIAL OVERVIEW OF PREDECESSOR ACTS



LEGISLATIVE HISTORY DETAILS

PART 1 ORDINANCE NO. 77 (CRUELTY TO ANIMALS) (1926 REVISED EDITION)

1. Ordinance XIV of 1902 — The Cruelty to Animals Prevention Ordinance 1902

Bill	:	G.N. No. 581/1902
First Reading	:	6 May 1902
Second Reading	:	16 May 1902
Notice of Amendments	:	20 June 1902
Third Reading	:	20 June 1902
Commencement	:	20 June 1902

2. Ordinance XXI of 1903 — The Cruelty to Animals Prevention Ordinance 1902 Amendment Ordinance 1903

Bill	:	G.N. No. 172/1903
First Reading	:	4 September 1903
Second Reading	:	11 September 1903
Third Reading	:	25 September 1903
Commencement	:	25 September 1903

3. 1920 Revised Edition — Ordinance No. 77 (Cruelty to Animals)

Operation	:	28 November 1921
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4. 1926 Revised Edition — Ordinance No. 77 (Cruelty to Animals)

Operation : 1 August 1926

PART 2

PREVENTION OF CRUELTY TO ANIMALS ORDINANCE
(CHAPTER 237, 1955 REVISED EDITION)

**5. Ordinance 10 of 1930 — Prevention of Cruelty to Animals
Ordinance, 1930**

Bill : G.N. No. 831/1930
First Reading : 12 May 1930
Second Reading : 7 July 1930
Notice of Amendments : 7 July 1930
Third Reading : 25 August 1930
Commencement : 8 September 1930

**6. 1936 Revised Edition — Prevention of Cruelty to Animals Ordinance
(Chapter 31)**

Operation : 1 September 1936

**7. Ordinance 37 of 1952 — Law Revision (Penalties Amendment)
Ordinance, 1952**

(Amendments made by section 2 read with item 7 of the Schedule to the above Ordinance)

Bill : 32/1952
First Reading : 16 September 1952
Second and Third Readings : 14 October 1952
Commencement : 30 April 1955 (section 2 read with item 7 of the Schedule)

**8. 1955 Revised Edition — Prevention of Cruelty to Animals Ordinance
(Chapter 237)**

Operation : 1 July 1956

**9. Ordinance 33 of 1963 — Prevention of Cruelty to Animals (Amendment)
Ordinance, 1963**

Bill : 11/1963
First Reading : 28 November 1963
Second and Third Readings : 20 December 1963

Second and Third Readings	:	18 January 1996
Commencement	:	2 February 1996 (section 121(4) read with item (1) of the Schedule)

16. Act 7 of 1997 — Statutes (Miscellaneous Amendments) Act 1997
(Amendments made by section 7 read with item (2) of the Second Schedule to the above Act)

Bill	:	6/1997
First Reading	:	11 July 1997
Second and Third Readings	:	25 August 1997
Commencement	:	1 October 1997 (section 7 read with item (2) of the Second Schedule)

17. Act 16 of 2000 — Agri-food and Veterinary Authority Act 2000
(Amendments made by section 47 read with item (1) of the Schedule to the above Act)

Bill	:	11/2000
First Reading	:	21 February 2000
Second and Third Readings	:	17 March 2000
Commencement	:	1 April 2000 (section 47 read with item (1) of the Schedule)

18. Act 10 of 2002 — Animals and Birds (Amendment) Act 2002

Bill	:	2/2002
First Reading	:	3 April 2002
Second and Third Readings	:	8 July 2002
Commencement	:	15 September 2002

19. 2002 Revised Edition — Animals and Birds Act (Chapter 7)

Operation	:	31 December 2002
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20. Act 4 of 2003 — Customs (Amendment) Act 2003

(Amendments made by section 26 read with item (2) of the Schedule to the above Act)

Bill	:	6/2003
First Reading	:	10 March 2003
Second and Third Readings	:	21 March 2003

Commencement : 1 April 2003 (section 26 read with item (2) of the Schedule)

21. Act 15 of 2010 — Criminal Procedure Code 2010

(Amendments made by section 430 read with item 3 of the Sixth Schedule to the above Act)

Bill : 11/2010
 First Reading : 26 April 2010
 Second Reading : 18 May 2010
 Third Reading : 19 May 2010
 Commencement : 2 January 2011 (section 430 read with item 3 of the Sixth Schedule)

22. Act 46 of 2014 — Animals and Birds (Amendment) Act 2014

Bill : 40/2014
 First Reading : 7 October 2014
 Second and Third Readings : 5 November 2014
 Commencement : 16 January 2015

23. Act 48 of 2017 — Sale of Food (Amendment) Act 2017

(Amendments made by section 23 of the above Act)

Bill : 42/2017
 First Reading : 2 October 2017
 Second and Third Readings : 7 November 2017
 Commencement : 1 February 2018 (section 23)

24. Act 10 of 2019 — National Parks Board (Amendment) Act 2019

(Amendments made by section 9 of the above Act)

Bill : 4/2019
 First Reading : 15 January 2019
 Second and Third Readings : 12 February 2019
 Commencement : 1 April 2019 (section 9)

25. 2020 Revised Edition — Animals and Birds Act 1965

Operation : 31 December 2021

26. Act 23 of 2021 — Criminal Law (Miscellaneous Amendments) Act 2021

Date of First Reading	:	2 August 2021 (Bill No. 20/2021)
Date of Second and Third Readings	:	19 September 2021
Date of commencement	:	1 March 2022

Abbreviations

(updated on 29 August 2022)

G.N.	Gazette Notification
G.N. Sp.	Gazette Notification (Special Supplement)
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian)
M.	Malaya/Malaysia (including Federated Malay States, Malayan Union, Federation of Malaya and Federation of Malaysia)
Parl.	Parliament
S	Subsidiary Legislation
S.I.	Statutory Instrument (United Kingdom)
S (N.S.)	Subsidiary Legislation (New Series)
S.S.G.G.	Straits Settlements Government Gazette
S.S.G.G. (E)	Straits Settlements Government Gazette (Extraordinary)

COMPARATIVE TABLE
ANIMALS AND BIRDS ACT 1965

This Act has undergone renumbering in the 2020 Revised Edition. This Comparative Table is provided to help readers locate the corresponding provisions in the last Revised Edition.

2020 Ed.	2002 Ed.
41	41 and 41C—(5)
41	41 and 42—(5)
41	41 and 43A—(3)
41	41 and 43B—(5)