

# SABAH ANIMAL WELFARE AND PET OWNERSHIP GUIDE



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A PROJECT BY THE SABAH LAW SOCIETY 2019/20



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The above members would like to thank the SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS KOTA KINABALU (SPCA KK) for their guidance and assistance in this project.

**THE PURPOSE AND OBJECTIVE** of this guide is to encourage responsible pet ownership, create more awareness of animal cruelty laws and assist in curbing the problem of the expanding stray population due to irresponsible pet ownership and breeding.

Pet ownership does not only affect your household but your community especially when your pets are not well cared for. The effects include an increase of the stray animal population and the spread of diseases which can have harmful effects on the human population.

Before making the decision to own a pet, one has to ask themselves whether they are ready for the responsibility. If not, there are many other ways to care for animals without owning them including volunteering at animal shelters, helping to educate the public about animal cruelty or participating in animal rescue or helping in controlling the stray population by trapping, neutering and releasing strays.

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This publication is designed as a guide to provide general legal information only and NOT legal advice. Laws and policies on animal cruelty and pet ownership may change from time to time. For formal legal advice, please consult a legal practitioner or the appropriate authority.

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## **FOREWORD**

**By Tan Sri Datuk Seri Panglima David Wong Dak Wah, Chief Judge of Sabah & Sarawak**

A lawyer's job is to navigate the law for others who are not in the legal profession. This is because such a task is not an easy one. Animal law is a very new area of law, just like our environmental laws, and will continue to evolve as we evolve as a society. It is very hard for the general public to always keep up with new laws that are introduced by the government.

I am glad to see that our Sabah lawyers have taken the initiative to put together a guide like this as this will help the public to have a general summary of laws we have with respect to animal welfare. Legislation develops over time as society recognizes what we need more of in terms of law and enforcement in order to make our community a better place to live.

I thank the members of the Sabah Law Society and the chambering students who voluntarily put together the first ever Sabah Animal Welfare and Pet Ownership Guide to raise awareness on the Animal Welfare Enactment 2015 and also encourage more responsible pet ownership with the assistance of the Society for the Prevention of Cruelty to Animals Kota Kinabalu (**SPCA KK**), a local animal welfare group, who is passionate about protecting animals and issues we face in Kota Kinabalu when it comes to stray animals.

I encourage all lawyers, young and old, to always try to participate in projects like this to raise awareness of our local laws and issues such as animal welfare so that the public will find it easier to understand our laws and will in turn help our society as a whole.

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## **PET OWNERSHIP**

### **SO YOU WANT TO OWN A PET....**

Pets are a long-term commitment and responsibility that requires a lot of time, care, money and patience. A lot of consideration should be given before you commit to having a pet.

**Q1. If you are considering owning a pet, you should answer YES to all of the following:**

- 1-1      *I have the time to look after a pet on top of my usual responsibilities for my family, work, other obligations.* (This includes feeding as many times a day as required by the individual pet, health check, grooming, pet exercise, play time.); AND
- 1-2      *I have the financial ability to support a pet on top of my other responsibilities.* (Shelter, food, water, health checks, emergency medical or other treatment, toys, vaccination, tick medication, supplements. A rough annual estimate of the cost for a medium sized dog is RM2,000.00, depending on the appetite, health, age and specific requirements of your pet.); AND
- 1-3      *I am mentally ready and understand that taking on a pet is a huge responsibility and it is for life!* (A pet is not an inanimate object.)

If you answered "NO" to at least one of the above, then you should reconsider owning a pet.

## WHAT CAN I NOT OWN AS A PET?

### A. Dogs

There are certain dog breeds which are banned from importation by the Veterinary Services Department of Malaysia<sup>1</sup>. Some include American Bulldog, mastiff varieties, American Pitbull Terrier.

Restricted Dog Breeds - Some breeds are restricted by the Veterinary Services Department of Malaysia including the following<sup>2</sup>:

- i) Rottweiler; and
- ii) Doberman; and
- iii) German Shepherd/ Alsatian including Belgian Shepherd and East European Shepherd.

### B. "Wildlife" or "Exotic" animals

#### a) Is my future pet a protected or endangered animal?

- i) "**Protected animal**" means an animal of a species specified in Appendix I or II or III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, Part 1 of Schedule 1, Part 1 of Schedule 2 or Schedule 3 of the Wildlife Conservation Enactment 1997.<sup>3</sup>
- ii) In particular, refer to Wildlife Conservation Enactment 1997 for -
  - 1) Totally protected species of animals:
    - (a) Schedule 2 Part 1 (page 70 – 96) (Applies to Sabah only).
  - 2) Protected species of Animals – Limited Hunting and Collection under License:
    - (a) Schedule 1 Part 1 (page 97 – 133).
  - 3) Protected species of Animals – hunting with a licence: Schedule 3.

<sup>1</sup><http://www.magis.gov.my/documents/20182/36527/YOUR+GUIDE+TO+IMPORT+PETS+INTO+MALAYSIA+%28UPDATE+290116%29.pdf/d0feabe0-e2d2-4866-ae58-32bf2b725eeb>

<sup>2</sup><http://www.magis.gov.my/documents/20182/36527/YOUR+GUIDE+TO+IMPORT+PETS+INTO+MALAYSIA+%28UPDATE+290116%29.pdf/d0feabe0-e2d2-4866-ae58-32bf2b725eeb>

<sup>3</sup>Section 2 Wildlife Conservation Enactment 1997

**b) Who is a trusted seller of protected animals?**

- a) "No person shall purchase any live protected animals .... of a protected animal except -<sup>4</sup>
- i) From a person with a certificate of legal ownership in respect of that animal ....;
  - ii) From a person holding an animal dealer's permit....;
  - iii) From a person holding an animal farming permit....'
  - iv) .... The vendor holds a commercial hunting licence;
  - v) ....
  - vi) From the Government"

**c) Do you have to get a permit to own that particular pet?**

- a) If you intend to keep any animals listed under the Wildlife Conservation Enactment 1997 in captivity, then you would have to obtain a permit issued by the Director of Wildlife and such other officers appointed by the State Public Service Commission.<sup>5</sup>
- b) A certificate of legal ownership in respect of the protected animal shall be issued upon successful application and where the Director is satisfied that such animal has been lawfully obtained under the authority of a valid permit.<sup>6</sup>

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<sup>4</sup> [Section 48\(2\) Wildlife Conservation Enactment 1997](#)

<sup>5</sup> [Section 43\(1\) Wildlife Conservation Enactment 1997](#)

<sup>6</sup> [Section 47\(1\) Wildlife Conservation Enactment 1997](#)

## **IMPORTING PETS**

**Can I get my pet from outside of Sabah?**

Yes.

**How do I start the process?**

- A. Section 15 of Animal Enactment 2015 (Sabah No. 8 of 2015)<sup>7</sup> provides that a licence<sup>8</sup> is required to import<sup>9</sup> an animal into Sabah. Therefore, you are required to apply to the relevant authority for the required licence if your choice of pet falls within the definition of "animal"<sup>10</sup> and "bird"<sup>11</sup> of the Animal Enactment 2015 (Sabah No. 8 of 2015).
- a) Guide to Import Pets into Malaysia by Department of Malaysian Quarantine and Inspection Services (MAQIS).
- b) To ensure the safe delivery of the animals, the owner or a person in control or in charge of any conveyance shall have a duty to provide for:
- i) an adequate, clean and suitable facilities; and sufficient food; and
  - ii) water to the animals which are being transported in a conveyance.<sup>12</sup>

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

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<sup>7</sup> Section 86 – The Animal Ordinance 1962 is repealed. [N.B this is different from **Animal Welfare Enactment 2015 (Sabah No. 9 of 2015)** – An enactment to provide a law for promoting the welfare and responsible ownership of animals and for the prevention of cruelty to animals...."]

<sup>8</sup> See Section 5(1)(a) "No person shall import any animal, bird,unless he holds a licence" & Section 15(1) "Except as specifically provided in any order made under Subsection 14(1), no person shall import any animal, bird.....unless he holds a licence."

<sup>9</sup> See Section 2 - "import" means to bring or cause to be brought any animal, bird, .....in Sabah by land, sea or air.

<sup>10</sup> See Section 2 - "Animal" includes...dog, cat and any four-footed beast kept in captivity or under control of any age or sex....

<sup>11</sup> See Section 2 - "bird" includes ...pigeons and any other avian species kept in captivity or under control, of any age or sex and the eggs thereof.

<sup>12</sup> [Section 16 Animal Welfare Enactment 2015 \(Sabah No. 9 of 2015\)](#)

## **Are there any exceptions to the need for a licence based on the breed my pet (i.e Offspring of a Certified Champion Dog or Cat)?**

Section 2<sup>13</sup> provides that “cat” means any cat or any breed or sex, belonging to the feline family; and “dog” means any dog of any breed or sex, belonging to any canine family.

## **Who is the relevant authority from whom I should apply my licence?**

An application for a licence under Section 5(1) shall be made to the Director of Veterinary Services<sup>14</sup> in the prescribed manner. Every application must be accompanied by the prescribed fee and information as specified by the Director.<sup>15</sup> The Director may also subsequently request for additional documents and/or information<sup>16</sup> and there is a time limit to supply the additional documents or information, beyond which time your application is deemed withdrawn and you will need to start the process afresh.<sup>17</sup>

## **Why this need for a licence to import my pet?**

As stated below the title of the Animal Enactment 2015 (Sabah No. 8 of 2015), this is “*An enactment to provide a law for preventing the introduction into and the spreading within Sabah of diseases of animals and birds, the promotion of veterinary public health....*”, and since the importation of your pet from outside of Sabah by you falls within the purview of this Enactment, hence a licence is required.

## **What if I go ahead and get my pet from outside into Sabah without getting a licence anyway?**

Section 15(2)<sup>18</sup> provides that “*Any person who contravenes subsection (1) commits an offence and shall on conviction, be liable to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding two years or to both.*”

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<sup>13</sup> Animal Enactment 2015 (Sabah No. 8 of 2015)

<sup>14</sup> See Section 2 - “Director” means the Director of Veterinary Services.

<sup>15</sup> Section 5(3) Animal Enactment 2015 (Sabah No. 8 of 2015)

<sup>16</sup> Section 5(4) Animal Enactment 2015 (Sabah No. 8 of 2015)

<sup>17</sup> Section 5(5) Animal Enactment 2015 (Sabah No. 8 of 2015)

<sup>18</sup> Animal Enactment 2015 (Sabah No. 8 of 2015)

**Can the Director of Veterinary Services refuse to grant me the licence to import my pet from outside of Sabah?**

Yes, the Director of Veterinary Services MAY refuse to grant you the licence<sup>19</sup> or may impose conditions on your licence<sup>20</sup>.

**If the Director of Veterinary Services grants me the licence, is it final once it is issued to me?**

Section 7<sup>21</sup> provides that the Director may at any time impose additional conditions or vary the conditions in the licence issued.

**If I obtained this licence, and subsequently changed my mind, may I just transfer it to someone else who wants it?**

No, unfortunately this licence once granted is NOT TRANSFERABLE.<sup>22</sup>

**Once I have my licence, can I proceed to drive my pet across the border into Sabah back to my home?**

Not exactly. Every animal imported or about to be imported shall be inspected by a veterinary authority either at the place of arrival or such other places as he may appoint.<sup>23</sup> And if the animal is considered likely to have been exposed to infection, they may be detained, and there may be fees to be borne by the importer/owner for veterinary services and detention.<sup>24</sup>

Further, you must inform the Veterinary Authority of Sabah of the arrival of your pet at Border Control.<sup>25</sup> Failure to make that report at Border Control is an offence and upon conviction is liable to a fine not exceeding ten thousand ringgit.<sup>26</sup>

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<sup>19</sup> Section 6(1) Animal Enactment 2015 (Sabah No. 8 of 2015)

<sup>20</sup> Section 6(2) Animal Enactment 2015 (Sabah No. 8 of 2015)

<sup>21</sup> Animal Enactment 2015 (Sabah No. 8 of 2015)

<sup>22</sup> Section 11 Animal Enactment 2015 (Sabah No. 8 of 2015)

<sup>23</sup> Section 16(1) Animal Enactment 2015 (Sabah No. 8 of 2015)

<sup>24</sup> Section 16(2) & (3) Animal Enactment 2015 (Sabah No. 8 of 2015)

<sup>25</sup> Section 17 Animal Enactment 2015 (Sabah No. 8 of 2015)

<sup>26</sup> Section 17(6)(a) Animal Enactment 2015 (Sabah No. 8 of 2015)

If you have allowed your pet to leave your vehicle after entering Sabah's borders, you would have committed another offence which upon conviction is liable to a fine not exceeding ten thousand ringgit.<sup>27</sup>

**If my pet becomes sick upon reaching Sabah, may I take it home to nurse it back to health?**

Unfortunately the answer is NO. If imported animal or bird, in the opinion of the veterinary authority, is infected with any disease or likely to have been in contact with any infected or disease animal or bird, it may be refused permit to land, or may be ordered to be destroyed and disposed of (no compensation shall be payable).<sup>28</sup> If the animal or bird is injured which injury cannot be relieved according to the opinion of the veterinary authority, it shall be destroyed and the expenses of disposing of the carcass shall be borne by owner (also no compensation payable).<sup>29</sup>

**Can I ask a pet shop to import my pet for me?**

You will need to check with the pet shop if they may assist you.

**What if my desired pet is a horse from outside Sabah?**

Please contact the Department of Veterinary Services Sabah for application procedures.

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<sup>27</sup> Section 17(6)(b) Animal Enactment 2015 (Sabah No. 8 of 2015)

<sup>28</sup> Section 18 Animal Enactment 2015 (Sabah No. 8 of 2015)

<sup>29</sup> Section 20 Animal Enactment 2015 (Sabah No. 8 of 2015)

## PREPARING YOUR LIFE WITH YOUR PET

**What else do I need to do before I bring my pet home?**

### A. VISIT THE VET

#### a) Common pet owner's responsibilities are:

- i) Immediate medical check-up is needed
  - 1) Only dogs are required under law to obtain a compulsory vaccination. A compulsory vaccination at the Department of Veterinary Services Sabah is needed once your dog is in hand.
  - 2) Other optional treatments are checking for lice, decision to spay/ neuter/ sterilize the pet.

### B. Licence and Registration

#### ii) Registration with the town board (Only applies to dogs)

- 1) Only pet dogs need to be registered with your local Town Hall or Municipal Council.
- 2) Go to your nearest Department of Veterinary Services Sabah to get the required vaccinations.
- 3) Be sure to obtain a letter certifying what vaccinations had been administered from the Government Veterinary Officer before leaving.
- 4) If you decide to sterilise the dog, a certificate from a Government Veterinary Officer needs to be obtained before leaving.
- 5) Take the vaccination letter AND a copy of the owner's IC to your local City Hall or Municipal Council.
- 6) Request for a dog licence registration form and pay a fee of RM1.00
- 7) Each form is for the whole residence regardless of how many

dogs.

- 8) Fill in the form and submit it together with a copy of the vaccination letter and the owner's IC to the relevant counter.
- 9) The fee is RM5.00 per male or spayed bitch and RM10 is for per bitch.
- 10) Once all the relevant documents are processed, the owner will be handed a printed licence and a metal label bearing the license number of the dog.
- 11) The printed license will have all the description of the dog and the dog is to wear the metal label at all times (even if the dog is locked in an enclosed area, i.e. your house!).
- 12) Dogs not wearing proper label are deemed unregistered and may be destroyed or sold at a government held public auction.
- 13) The owner of the dog shall apply the licence annually and is to be made before the 31st of January each year or if the dogs are after 6 months old.

*(Disclaimer: The above are based on information provided by Dewan Bandaraya Kota Kinabalu. Each council / district have their own rules and regulations about dog licensing. Please inquire with your local council / district for the correct procedures)*

### **SETTLING IN**

- a) The owner or a licensee shall have the duty to<sup>30</sup>
  - b) take reasonable steps to ensure that the needs of an animal are fulfilled, which includes –
    - i) its need for a place to live in a suitable environment;
    - ii) its need for a suitable diet;
    - iii) the need for it to be able to exhibit its normal behaviour patterns;

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<sup>30</sup> [Animal Welfare Enactment 2015 \(Sabah No. 9 of 2015\) Section 2 14\(1\)\(a\) and \(b\)](#)

- iv) the need for it to be housed with or apart from other animals; and
  - v) the need for it to be protected from pain, suffering, injury and disease; and
- c) .... to have regard to the needs of an animal under paragraph (a) includes -
- i) Any lawful purpose for which the animal is kept; and
  - ii) Any lawful activity undertaken in relation to the animal

### **What do I do if my pets are still unsettled?**

Depending on the problem, an owner can consider a few of the options (These are arranged in no particular order)

- 1) Persist and seek help or advise from veterinary clinics;
- 2) Research online for solutions;
- 3) Try to ask relatives and friends for help;
- 4) Post on social media e.g.: Animal Lover groups on Facebook;
- 5) Put them up for adoption in non-profit organisations such as non-profit animal shelters; OR
- 6) Return them to the pet shop.

### PET OWNERSHIP - IN SUMMARY

- 1. FOOD & WATER** - Clean water, healthy food
- 2. SHELTER** - Dry and shelter from hot sun and rain
- 3. SECURED OUTDOOR AREA** - So your pet cannot escape but able to roam freely within your property
- 4. SPAYING & NEUTERING** - Breeding is illegal without a licence
- 5. VACCINATIONS** - For a healthier pet and to avoid spread of disease
- 6. REGISTRATION AND LICENSING FOR DOGS** - Abide with local council laws
- 7. EXERCISE** - All pets need exercise to stay healthy. There are minimum recommended cage sizes as prescribed by Jabatan Perkhidmatan Veterinar Malaysia.
- 8. HYGIENE** - Free of infestation, worms, ticks, fleas and lice
- 9. MEDICAL CARE & ATTENTION** - Regular check-ups at the vet to prevent disease
- 10. WATCH FOR BEHAVIORIAL PROBLEMS** - When stressed and sick, pets can act different. See your vet.

(Source: Society for the Prevention of Cruelty to Animals, Kota Kinabalu)

## **WHY IS SPAYING / NEUTERING IMPORTANT?**

### **What is Spaying / Neutering?**

Spaying is the process of surgically removing the female animal's reproductive organs (i.e. uterus and both ovaries) by way of an incision made in the abdomen so as to prevent her from getting pregnant.<sup>31</sup> On the other hand, neutering (or castration) is the process of surgically removing the male animal's testes to prevent him from impregnating his female counterpart.<sup>32</sup> Most dogs and cats can be spayed from 4 months but it is best to consult your vet.

According to some statistics, if two dogs and their offspring are allowed to reproduce freely, there can be an addition of 2,048 dogs in a span of four years. In that similar time span, two cats will lead to a staggering 20,736 number of cats.<sup>33</sup>

## **BENEFITS OF SPAYING / NEUTERING ANIMALS**

### **1. Pet Population Control**

- Thousands of stray animals in our society are the result of the uncontrolled pet breeding and abandonment of unwanted pets. As a result, these animals are suffering on the streets from diseases and human cruelty, and many of them will be euthanized, poisoned or killed by other means when the population becomes unmanageable and are deemed a nuisance.
- If you do not intend to look after the offspring of your unneutered pet, then it is a good idea to neuter your pet.

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<sup>31</sup> Arliss Paddock, 'Spaying and Neutering Your Puppy or Adult Dogs: Questions and Answers', <https://www.akc.org/expert-advice/health/spaying-and-neutering-your-dog-faqs/>

<sup>32</sup> Paws, 'Why Spay and Neuter', <https://www.paws.org/get-involved/take-action/explore-the-issues/spay-and-neuter/>

<sup>33</sup> SPCA KK, 'Frequently Asked Questions', <https://www.spcakk.org/contents/html/faq.html>

## 2. Health Benefits

For cats and dogs:

- Reduces the chances of Transmissible Venereal Tumour & lowers risk of cancer (**Source: SPCA KK**).

## 3. Behavioural Benefits

- Reduces stress and aggressive behaviour in male animals.
- Female dogs will no longer have a heat cycle. This reduces and/or eliminates the attraction and approach of unwanted attention by male dogs.<sup>34</sup>
- Eliminates the marking of territory by urine spraying.

## 4. Slows Stray Population Growth

- Spaying or neutering is a humane and effective way to reduce the number of stray animals living on the streets. It is also effective in improving the health of these animals.
- With sterilisation, community dogs are able to be returned to their respective territories on the streets to allow for natural reduction in population.

## 5. Cost-effective

By having animals spayed and neutered, pet owners can save the cost of caring for future litters and significantly reduce the likelihood of pets needing veterinary treatment for injuries sustained when roaming or fighting with other animals.

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<sup>34</sup> ibid

## **LAWS AGAINST ANIMAL CRUELTY IN SABAH**

### **1. What are the governing laws and punishment for animal cruelty in Sabah?**

In the state of Sabah, there is a specific law governing cruelty to animals under Part V of the Animal Welfare Enactment 2015<sup>35</sup>.

#### **(I) What amounts to animal cruelty ?**

Section 18 of the Animal Welfare Enactment prescribes acts which amounts to animal cruelty and this includes:

- Torturing such as beating or causing hurt to the animal;
- Terrifying the animal;
- Causing any unnecessary pain and suffering;
- Neglect (not giving your pet sufficient food and water, causing your pet to be injured or ill);
- Amputating;
- Confining (keeping your pet in a small cage not sufficient for its size, chaining your pet with short or heavy chain);
- Abandoning/Dumping your pet or its offspring; and/or
- Killing.

**If you are found guilty of an act amounting to animal cruelty, what is the punishment under Section 18 of the Animal Welfare Enactment Act?**

A fine not exceeding RM 100,000.00 or imprisonment for a term not exceeding 3 (three) years or both.

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<sup>35</sup> see <http://www.lawnet.sabah.gov.my/Lawnet/SabahLaws/StateLaws/AnimalWelfareEnactment2015.pdf> for more details

**(II) Does the law permit shooting of animals?**

Subject to exceptions under Section 19(2), it is an offence to kill an animal by shooting it with firearms unless you have obtained authorisation from the Veterinary Authority to do so during an emergency or for disease control.

**What is the punishment under Section 19?**

A fine not exceeding RM 100,000.00 or imprisonment for a term not exceeding 3 (three) years or both.

**(III) Can I administer poisons on animals?**

Under Section 20, it is an offence to unnecessarily administer any poison or injurious drug or substance to any animal without lawful authority or a reasonable excuse.

**What is the punishment under Section 20?**

A fine not exceeding RM 100,000.00 (one hundred thousand ringgit) or imprisonment for a term not exceeding 3 (three years) or both.

**(IV) Are animal fighting activities illegal?**

Among other things as stated in Section 21, it is generally an offence to cause, encourage, publicise, participate or be present in an animal fight.

**What is the punishment under Section 21?**

A fine not exceeding RM 100,000.00 or imprisonment for a term not exceeding 3 (three) years or both.

## **(V) Do I have the responsibility to prevent animal cruelty?**

Under Section 22, any person who fails to exercise reasonable care and supervision relating to animal welfare or the protection of animals from cruelty commits an offence.

### **What is the punishment under Section 22?**

A fine not exceeding RM 75,000.00 or imprisonment for a term not exceeding 2 (two) years or both.

## **2. What is the court system like under the Animal Welfare Enactment 2015?**

It should be noted that animal cruelty offences under the Animal Welfare Enactment 2015 are criminal in nature, and the accused upon conviction may be liable to imprisonment.

### **What should you do if you notice animal abuse or cruelty?**

**1) Gather evidence** - Record the full address of where the cruelty happened, the animal involved, picture or video evidence and time and date of its occurrence.

**2) Call the authorities and/or animal welfare society**

**To whom should a report be made if you witness any acts of animal abuse?**

- a. Department of Veterinary Services Sabah.
- b. Any Police Stations.
- c. SPCA Kota Kinabalu - 0198809600.

*\*Cases deemed to have merits and with appropriate evidence will be prosecuted by the State as animal cruelty is a crime punishable under the Law.*

### 3. Cases and Sentencing Trends

#### A. Woman Feeds Dog 32 Sewing Needles

In 2018 at Kota Kinabalu, a woman was convicted under Section 18(1)(e) of the Animal Welfare Enactment 2015, for feeding her dog a piece of bread filled with 32 sewing needles. Accordingly, she was fined RM 7,000 in default of which she had served 7 days of imprisonment<sup>36</sup>.

#### B. Launderette Cat Killer

In West Malaysia, a contract worker who killed a cat by placing it in a dryer was sentenced to 34 months' jail and fined RM40,000.00<sup>37</sup>.

### 4. What should pet shops / breeders be aware of?

Among other things, Section 5 of the Enactment requires a licence to breed, train, quarantine, or to test on animals.

Punishment for not complying: A fine not exceeding RM75,000.00 or imprisonment for a term not exceeding **2 (two) years or both**.

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<sup>36</sup> <https://www.nst.com.my/news/crime-courts/2018/08/397506/sabah-woman-jailed-feeding-pet-dog-32-sewing-needles>  
<sup>37</sup> <https://www.freemalaysiatoday.com/category/nation/2019/11/05/launderette-cat-killer-jailed-34-months-fined-rm40000/>

## **STRAYS**

### **Why are there strays?**

Stray animals (especially cats and dogs) are one of the biggest problems in Sabah that is created by pet dumping, letting the non-neutered pets free to roam the area to mate and uncontrolled stray population.

The implementation of sustainable spay and neuter programmes is one of many fundamental actions in addressing the ever-growing issue of the increase of canine and feline populations, which has in recent years exceeded the capacity of the local community to sufficiently care for them.

Many self-funded animal shelters are already at full capacity and cannot keep up with rescuing all the strays.

### **1. What can we do on an individual level, community level and organizational level?**

- **Neutering strays**
  - in an effort to reduce the population of stray animals in Kota Kinabalu, NGOs such as the Society for the Prevention of Animal Cruelty KK (SPCA KK), Borneo Animal Welfare Society, Sabah (BAWSS) as well as DBKK have implemented a TNR (Trap-Neuter-Release) project.<sup>38</sup>
  - TNR is a method of humanely trapping stray animals to spay or neuter them, and then releasing them back to the same location where they were found.
  - This is important because returning them to the territory where they came from means that they will know their way to find food and shelter.
  - It will also stop the migration of outside animals to that area.

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<sup>38</sup> n.3

- **Adoption** – Instead of purchasing from pet shops and breeders, there are many cats and dogs up for adoption at animal shelters.
- **Raising public awareness** and educating the public about animal welfare and strays.
- **Volunteer** to care for strays at animal welfare centres.
- **Rescue stray animals** – Always be careful. For a comprehensive guide on how to help / assist with rescuing strays, please refer to [www.spcakk.org](http://www.spcakk.org) or call the local animal welfare organisations listed in this guide below.

## 2. Contact details of Animal Welfare Groups / Societies

Organisation	Contact details
1. Society for the Prevention of Cruelty to Animals Kota Kinabalu (SPCA KK)	0198809660 <a href="mailto:info@spcakk.org">info@spcakk.org</a>
2. Society for the Prevention of Cruelty to Animals Tawau	0168266465, 01115432993 and 0168306742 <a href="mailto:spcatawau@yahoo.com.my">spcatawau@yahoo.com.my</a>
3. Society for the Prevention of Cruelty to Animals Sandakan	0102278911 <a href="mailto:spcasdk@gmail.com">spcasdk@gmail.com</a>
4. Society for the Prevention of Cruelty to Animals Lahad Datu	016-802 3877 <a href="mailto:sPCA_lahaddatu@hotmail.com">sPCA_lahaddatu@hotmail.com</a>
5. International Aid for the Protection & Welfare of Animals (IAPWA)	<a href="mailto:tnr@iapwa.org">tnr@iapwa.org</a>
6. Borneo Animal Welfare Society Sabah (BAWSS)	<a href="mailto:animalwelfareunit@gmail.com">animalwelfareunit@gmail.com</a>

\*Please note that the above are registered societies in Sabah. There are many other volunteer animal groups which you may find online.

## **Rabies**

Rabies is a fatal viral disease that causes inflammation of the brain in humans and other mammal<sup>39</sup>.

So far in Sarawak, 19 people have died from rabies<sup>40</sup>. At this point in time, there have been no reported cases of rabies in Sabah, however, to keep it that way, we need to be vigilant in controlling our stray population and the health of our pets to prevent the spread.

### **What are the Symptoms of Rabies in Animals**

1. Once the rabies virus enters the animal's body, it travels along the nerves to the brain. These animals show varying signs / symptoms including<sup>41</sup>:
  - i. Fearfulness;
  - ii. Aggression;
  - iii. Excessive drooling;
  - iv. Difficulty swallowing;
  - v. Staggering;
  - vi. Paralysis; and
  - vii. Seizures.
2. The most common signs of rabies are behavioural changes and unexplained paralysis.
3. Similar to humans, death of the animal is almost certain once signs of the disease appears. There is no treatment available after the onset of symptoms.

**IF YOU ARE BITTEN BY AN ANIMAL WHICH APPEARS TO HAVE RABIES,  
PLEASE VISIT A HOSPITAL IMMEDIATELY.**

<sup>39</sup> Jerry T. Balentino & Melissa Conrad Stöppler, 'Rabies', [http://www.medicinenet.com/rabies\\_virus/article.htm](http://www.medicinenet.com/rabies_virus/article.htm)

<sup>40</sup> <https://www.nst.com.my/news/nation/2019/08/511828/man-bitten-pet-puppy-dies-rabies-sarawak>

<sup>41</sup> n.4

**~END~**