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LOCAL AUTHORITIES ORDINANCE, 1996
LOCAL AUTHORITIES (DOG LICENSING AND CONTROL)
BY-LAWS, 2018

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LOCAL AUTHORITIES ORDINANCE, 1996
LOCAL AUTHORITIES (DOG LICENSING AND CONTROL)
BY-LAWS, 2018

(Made under section 93)

In exercise of the powers conferred by section 93 of the Local Authorities Ordinance, 1996 [*Cap. 20J*], the Yang di-Pertua Negeri has made the following By-laws:

Citation and application

1.—(1) These By-laws may be cited as the **Local Authorities (Dog Licensing and Control) By-laws, 2018**, and shall come into force on the 1st day of December, 2018.

(2) These By-laws shall apply to all the local authorities listed in the Second Schedule.

(3) These By-laws shall not apply to any dog—

(a) belonging to the Armed Forces, Police, Fire and Rescue Department, Customs Department, Veterinary Department or any other Government agencies;

(b) under the temporary care of the Sarawak Society for Prevention of Cruelty to Animals or a person whose building, premises or holding is licensed under by-law 11 or any other body recognized and approved by the Minister; or

(c) within any area exempted by the local authority by notification in the *Gazette*.

(4) The Minister may, by notification in the *Gazette*, classify any class or breed of dogs to be restricted, prohibited or otherwise.

Interpretation

2. In these By-laws—

“dog” means any domesticated dog of any breed or sex, belonging to the canine family;

“Dog breeder” means a person who breeds dogs in an approved facility;

“keep” includes keeping a dog for the purpose of sale or arranging for adoption or fostering;

“local authority” shall have the same meaning as assigned to it in the Local Authorities Ordinance, 1996 [*Cap. 20J*];

“Minister” means the Minister for the time being charged with the responsibility for local government;

“owner” in relation to a dog means the person having possession, custody or control of the dog, but in any case of doubt concerning the ownership of a dog, the owner or occupier of the premises frequented by the dog, or the person who habitually feeds the dog shall, unless the contrary is proved, be deemed to be its owner;

“pet shop” means any premises where dogs and other animals are kept for sale;

“public place” means any public road, street, square, alley, lane, footway, wharf, jetty, quay, bridge, parking place, garden and any open space, public park, or special areas for greens constituted under the Public Parks and Greens Ordinance, 1993 [Cap. 3], and any place within the area of jurisdiction of a local authority, whether enclosed or not, set apart or appropriated for the use of the public or to which the public shall at any time have access, with or without payment of any fee, charge or consideration;

“Secretary” means the Secretary of the Council;

“State Veterinary Authority” means the authority appointed under section 3 of the Veterinary Public Health Ordinance, 1999 [Cap. 32];

“veterinary surgeon” means a veterinary surgeon as defined in section 2 of the Veterinary Surgeons Act 1974 [Act 174], and includes a Government Veterinary Officer.

Licences and anti-rabies vaccination

3.—(1) Every dog owner shall apply for a licence under these By-laws and no person shall own, keep, harbour or maintain a dog except under and in accordance with a licence issued by the local authority.

(2) The local authority may require the dog owner to produce evidence of the anti-rabies vaccination or any other vaccination given to the dog before the issuance of a licence or and for the purpose of renewal of dog licence.

(3) Any person who contravenes this provision shall be guilty of an offence and shall, upon conviction, be liable to a fine not exceeding five thousand ringgit.

Dog licence, tag, etc.

4.—(1) The local authority shall, on application by the owner of a dog and on payment of the fee as set out in the First Schedule, register the dog and issue the owner a dog licence for a period of three years.

(2) The local authority shall also issue a metal identification label or any other means of identification label for the dog (hereinafter referred to as “the dog

tag") bearing the registered number of the dog in respect of which the licence fee is paid.

(3) The local authority may, on application and payment of a fee as set out in the First Schedule, issue replacement licence or dog tag which shall be so marked, to replace the licence or dog tag which the local authority is satisfied has been defaced, lost or destroyed.

(4) The local authority may also require that a dog be implanted with any form of electronic identification and data storage device.

(5) The licence fees for dogs under Part I of First Schedule shall not be applicable to dog breeders or pet shops.

Change of ownership details

5.—(1) Where there has been a change of ownership of a licensed dog, the new owner shall, within 30 days thereof, notify the local authority of the change, and the local authority shall register with payment of ten ringgit, the name and address of the new owner.

(2) Any change of owner's details such as address or telephone contact, an owner is required to notify the local authority in writing within 14 days from the date of such changes.

Wearing of dog collar and tag

6. The owner of a licensed dog shall provide a suitable collar to be worn by the dog, to which the current dog tag shall be securely fastened in such manner as to be visible when the collar is worn by the dog.

Duties of owner

7. The owner of a dog shall—

(a) maintain the kennel in which the dog is housed in a clean and sanitary condition;

(b) take reasonable steps to ensure that the dog is not a nuisance or pose a danger to the public; and

(c) immediately and properly dispose of their dog's solid waste deposited on any property, public or private, not owned or possessed by the owner.

Dogs not to be let out in public places

8.—(1) No owner or person having the custody, control or care of any dog shall allow such dog, whether licensed or not, to roam at large in any public place unless it is on a leash.

(2) A breach of this by-law shall be deemed to have occurred if any dog is found at large in a public place and is not on a leash.

(3) In every such case, the owner of such dog or, if the owner is absent from the State, the person having the custody or care of such dog shall be guilty of such breach, notwithstanding that such breach occurred without his knowledge or without any default on his part.

(4) Any person authorized by the local authority may seize and impound any dog which is not on a leash in accordance with this by-law.

(5) A notice in respect of any dog so seized and impounded, stating—

(a) an image and description of the dog;

(b) place of seizure;

(c) time and place of impounding; and

(d) a warning that if the dog is not claimed within forty-eight hours from the time of impounding it may be destroyed or dealt with by the local authority in any manner it deems fit,

shall be displayed as soon as possible after the impounding at the office of the local authority or the police station nearest to the place where the dog was seized, and the owner of the dog, if known, shall, if possible, be notified.

(6) A dog impounded under this by-law shall, if the owner thereof is licensed to keep the dog, be released upon payment of an impounding fee of fifty ringgit per day or part thereof.

(7) A dog impounded under this by-law may, if the owner thereof is not licensed to keep the dog, be released upon payment of such fine as may be imposed under by-law 12, together with the licence fee as set out in the First Schedule and an impounding fee of fifty ringgit per day or part thereof.

(8) A dog impounded and not released as provided in paragraphs (6) and (7) within a period of forty-eight hours from the time of impounding may be destroyed or otherwise dealt with as the local authority may deems fit.

Number of dogs permitted

9.—(1) No person shall—

(a) keep more than three dogs of any age on his property; or

(b) keep more than one small breed dog at his flat or apartment or condominium or other dwelling places more than two storeys,

unless otherwise approved by the local authority in any particular case.

(2) For the purpose of this by-law, small breed dog includes:

- (a) Miniature Pinscher;
- (b) Bichon Frise;
- (c) Pekingese;
- (d) Papillon;
- (e) Poodle (Toy);
- (f) Japanese Chin;
- (g) Maltese;
- (h) Pomeranian;
- (i) Chihuahua; or
- (j) any crossbreed of the above.

Diseased dog

10.—(1) Any person who keeps or harbours a dog suspected of, or suffering from, a contagious or infectious disease which is not under treatment by a veterinary surgeon shall be guilty of an offence; the dog whether licensed or not may be seized and impounded by the local authority,

(2) Any person authorized in writing by the local authority may at all reasonable times enter any land or premises for the purpose of searching for, securing, impounding or destroying any dog suspected of, or suffering from, a contagious or infectious disease.

(3) The dog impounded under this by-law may be destroyed if the owner or a representative of the owner fails, within a period of forty eight hours from the time of impounding, to show cause to the satisfaction of the local authority why the dog should not be destroyed.

(4) Subject to paragraph (3), a dog impounded under this by-law shall—

(a) be released to the owner without any payment if the dog is found not suffering from any contagious or infectious disease; or

(b) where it is found to be suffering from a contagious or infectious disease, be dealt with in any manner that the local authority deems fit:

Provided that before the dog is released back to the owner, a payment shall be made by the owner of such amount as may be compounded under by-law 12 (2) and an impounding fee of minimum fifty ringgit and not exceeding one hundred ringgit, together with any related costs incurred.

Licensing of premises where dogs are kept for commercial purposes

11.—(1) No person shall use any building, premises or holding to keep for sale or for breeding purpose except under and in accordance with the terms and conditions of a licence granted by the local authority.

(2) An application for a licence shall be made in such form as may be provided by the local authority and shall be accompanied by a licence fee as specified in the First Schedule.

(3) At any point of time, the number of dogs kept by a dog breeder shall not exceed fifty and in the case of a pet shop shall not exceed twenty.

(4) Any person who contravenes this provision shall be guilty of an offence and shall, upon conviction, be liable to a fine not exceeding ten thousand ringgit.

Penalty and compound

12.—(1) Any person who contravenes by-laws 5, 6, 7, 8, 9 or 10 shall be guilty of an offence and shall, upon conviction, be punished with, a fine of not exceeding two thousand ringgit.

(2) Any officer authorized by the local authority by notification in the *Gazette*, may compound any offence committed under these By-laws for a sum not exceeding one half of the maximum amount of the fine provided for the offence.

Revocation and saving

13.—(1) All the By-laws specified in the Third Schedule are revoked with effect from the date of the coming into force of these By-laws.

(2) Notwithstanding paragraph (1), any licence issued under any of the revoked By-laws shall continue to be valid and enforceable as if it is issued under these By-laws until the expiry of the period of such licence or unless revoked by the local authority under these By-laws.

FIRST SCHEDULE

(By-laws 4 and 11)

PART I

LICENCE FEES FOR DOGS FOR THREE YEARS

	<i>Sterilized</i>	<i>Non-sterilized</i>
1. For the first, second and third dogs	RM30.00 per dog	RM90.00 per dog
2. For any subsequent dogs approved under by-law 9	RM90.00 per dog	RM270.00 per dog
3. For replacement of licence or dog tag		RM30.00

PART II

ANNUAL LICENCE FEES FOR DOG BREEDER AND PET SHOPS

1. Dog Breeder	RM1000.00 per annum
2. Pet shops	RM200.00 per annum

SECOND SCHEDULE

- (1) Council of the City of Kuching South
- (2) Kuching North City Hall
- (3) Miri City Council
- (4) Sibu Municipal Council
- (5) Bintulu Development Authority
- (6) Padawan Municipal Council
- (7) Serian District Council
- (8) Simunjan District Council
- (9) Kota Samarahan Municipal Council
- (10) Bau District Council
- (11) Lundu District Council
- (12) Sri Aman District Council
- (13) Lubok Antu District Council
- (14) Betong District Council
- (15) Saratok District Council
- (16) Sarikei District Council
- (17) Maradong dan Julau District Council
- (18) Sibu Rural District Council
- (19) Kanowit District Council
- (20) Dalat dan Mukah District Council
- (21) Matu dan Daro District Council
- (22) Marudi District Council
- (23) Subis District Council
- (24) Limbang District Council
- (25) Lawas District Council
- (26) Kapit District Council



THIRD SCHEDULE

- (1) The City of Kuching South (Dog Licence) By-laws, 1990
- (2) The City of Kuching North (Dog Licence) By-laws, 1991
- (3) Kuching Rural District Council (Dog Licence) By-laws, 1961
- (4) Miri District Council (Dog Licence) By-laws, 1962
- (5) Bintulu District Council (Dog Licence) By-laws, 1962
- (6) Bau District Council (Dog Licence) By-laws, 1962
- (7) Lundu District Council (Dog Licence) By-laws, 1962
- (8) Upper Sadong District Council (Dog Licence) By-laws, 1962
- (9) Lower Sadong District Council (Dog Licence) By-laws, 1962
- (10) Batang Lupar District Council (Dog Licence) By-laws, 1962
- (11) Lubok Antu District Council (Dog Licence) By-laws, 1962
- (12) Saribas District Council (Dog Licence) By-laws, 1962
- (13) Kalaka District Council (Dog Licence) By-laws, 1962
- (14) Sarikei District Council (Dog Licence) By-laws, 1962
- (15) Binatang District Council (Dog Licence) By-laws, 1962
- (16) Sibuan District Council (Dog Licence) By-laws, 1962
- (17) Sibuan Rural District Council (Dog Licence) By-laws, 1962
- (18) Kanowit District Council (Dog Licence) By-laws, 1962
- (19) Mukah District Council (Dog Licence) By-laws, 1962
- (20) Matu and Daro District Council (Dog Licence) By-laws, 1962
- (21) Baram District Council (Dog Licence) By-laws, 1962
- (22) Subis District Council (Dog Licence) By-laws, 1962
- (23) Lawas District Council (Dog Licence) By-laws, 1962
- (24) Limbang District Council (Dog Licence) By-laws, 1962
- (25) Kapit District Council (Dog Licence) By-laws, 1962

Made by the Yang di-Pertua Negeri this 19th day of October, 2018.

By Command,

DATUK DR. SIM KUI HIAN
Minister for Local Government and Housing, Sarawak