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## WHY THE DELAY?

THE Animal Welfare Bill was passed in June 2015, but it has yet to be gazetted and enforced. Activists are naturally incensed by the inordinate delay; they say more and more animals are being subjected to cruel treatment.

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## ANIMAL PROTECTION



# EAGERLY WAITING FOR MORE BITE

Although the Animal Welfare Bill 2015 has been passed in Parliament, its enforcement has yet to be carried out. Animal welfare groups and NGOs want the authorities to stop dragging their feet, writes **CHUAH BEE KIM**

**A**NIMAL welfare activists are crying foul over the non-activation of the Animal Welfare Bill 2015 despite it being passed in Parliament nearly two years ago.

Frustrations have boiled over as there has been an increase in cases of animal abuse that may have been prevented if harsh penalties in the new bill are executed.

It was finally revealed that the provisions under the bill will only be implemented six months from now, after the *New Sunday Times* probed into the issue.

The *New Sunday Times* was told that, even though regulations under the bill have been finalised by the Veterinary Services Department (VSD), the new laws are await-

ing the green light from the Agriculture and Agro-based Industry Ministry.

VSD director-general Datuk Dr Kamarudin Md Isa says the Animal Welfare Bill 2015 is expected to be gazetted by the middle of this year, and the department has ironed out technical issues.

"The department is waiting for the final approval from the ministry for clauses in the bill to be put into action."

Kamarudin says in the meantime, the department is safeguarding the welfare of animals through the Animals Act 1953.

"VSD is using the Animals Act to take action against animal abusers."

"The law is effective even though, undoubtedly, the new act will be a bigger deterrent as it entails harsher punishments."

In allaying fears that the new act is taking too long to be enforced, Kamarudin cited a recent court case on how the old law is relevant in protecting animals.

Recently, a man was fined for abandoning his horse at the Bukit Kiara Equestrian and Country Resort in Kuala Lumpur.



Tan Sri Lee Lam Thye

In that case, the 43-year-old company chief executive officer was fined RM5,000 by the Kuala Lumpur magistrate's court on Jan 19 for neglecting his 23-year-old Dutch Warmblood, which caused it to suffer a leg injury.

However, as a result of the delay in enforcement, Selangor Society for the Prevention of Cruelty to Animals (SPCA) patron Tan Sri Lee

Lam Thye says there is an increase in pet dumping and abandonment.

He says 60 to 70 pets, comprising cats and dogs, are abandoned at the Selangor SPCA shelter every month.

"The most recent case of pet dumping was on Jan 7, where 11 puppies were found outside SPCA Selangor. There was also another pet abandoned the next day."

"When pets are abandoned by their owners, they will struggle to survive on the streets. This is considered an act of cruelty."

Lee says more needs to be done to improve the condition of dog pounds and pet boarding centres.

Pets that are caught by dog catchers are

kept in deplorable and ill-equipped pounds. Often, these animals await their deaths as they are not claimed by their owners.

"How many of these pets come out of the pound alive?"

He says many animal welfare groups want the Agriculture and Agro-based Industry Ministry to expedite enforcement of the bill, which he describes as a landmark legislation that will put Malaysia on a par with developed countries.

"It is a legislation that not many developing countries have."

Lee suggests that the ministry, which oversees the VSD, collaborate with the Education Ministry to conduct awareness programmes to inculcate love for animals in the younger generation.

He said the Animal Welfare Board should include representatives from government agencies and non-governmental organisations.

Another pressing issue that often leads to abuse of domestic animals is the management of strays, which falls under local authorities or councils.

The Animal Welfare Bill 2015, which received overwhelming support from lawmakers from both sides of the political divide, was passed on June 17, 2015.

It led to the setting up of an Animal Welfare Board that paved the way for more bite to be given to VSD personnel to nab animal abusers.

The bill carries a fine of between RM20,000 and RM100,000, and up to three years' jail for those guilty of beating, mutilating, poisoning, confining or restricting the natural movement, and abandoning animals under their care.

This is unlike the Animals Act 1953, which carries a fine of up to RM200 or six months' jail.

## INFO BOX

# 60 to 70

pets dumped at the Selangor SPCA shelter every month

Veterinary Services Department director-general Datuk Dr Kamarudin Md Isa says the new bill is in the final stages of being approved.







## 'Strays can be dealt with humanely'

IN November last year, the Pasir Gudang Municipal Council in Johor came under fire when it announced that RM55 will be paid to the public for every dog caught as part of a stray eradication campaign.

The announcement caused a furor and the council was subsequently reprimanded by Tunku Temenggong Johor Tunku Idris Sultan Ibrahim, whose family is well known for animal welfare activism.

The campaign was halted following a meeting between the council and Johor Baru Society for the Prevention of Cruelty to Animals (SPCA), which agreed to work together to come up with a humane method in dealing with strays.

Johor Baru SPCA vice-president Jacqueline Gomez says local councils should understand that there is a humane solution to the problem of stray animals.

"Sending them to their deaths is not the solution. Actions like offering money to catch stray dogs only reflects badly on us Malaysians as a peaceful community."

She says local councils should assist animal rights organisations with the spaying and neutering of stray dogs and cats to gradually decrease their numbers.

Companion Animal Rescue Effort Society founder Joseph Chia says his group and others dealing with animal rights are working with local authorities, such as the Pasir Gudang Municipal Council, to control the population of strays.

"Streets are not homes for animals. More awareness programmes should be held to educate people to become responsible pet owners."

Noah's Ark Natural Animal Sanc-



A worker feeding stray cats at the SPCA shelter in Ampang.

tuary founder Raymund Wee says better collaboration between state government agencies and animal-focused NGOs will ensure that people become more aware of the rights of animals, especially domestic pets.

"Local councils in Johor are very cooperative in working with animal welfare NGOs," he says.

The enforcement of the Animal Welfare Bill 2015 may provide relief for worried pet owners such as G.G. Tanabalan, who lost his mongrel in a tragedy resulting from what he claims to be an act of cruelty.

Two years ago, Tanabalan could not find his 7-month-old dog named Mike when he returned home from work in Bandar Seri Alam, Johor Baru. It was unusual for his pooch to be away when he came home, as Mike would usually greet him at the gate with its tail wagging.

Tanabalan searched the neighbourhood and asked those in the area if they had seen his dog.

To his horror, he discovered Mike

lying outside a neighbour's house, bleeding and writhing in pain.

Tanabalan rushed Mike to a veterinarian, where 10 shotgun pellets were removed from the dog's body, most of them lodged in its skull, which was fractured. Mike's injuries were so serious that the veterinarian had to put down the dog.

Police acted on Tanabalan's report and arrested his neighbour, a 55-year-old People's Volunteer Corps (Rela) member, who was investigated for wrongfully discharging his hunting shotgun. The man had apparently shot the dog, claiming that it had tried to bite him.

The case is one of many where animals have brutally died in the hands of irresponsible people.

It shone a light on the abuse and mistreatment of canines and felines, which often lead to their gruesome deaths. Unfortunately, animal abuses are continuing despite the passing of the Animal Welfare Bill more than two years ago.

## HORROR TALES INVOLVING DOMESTIC PETS AND WILDLIFE

Animal abuse cases grabbed headlines well before the Animal Welfare Bill was passed in Parliament on June 17, 2015. The cruelties have continued since then, prompting a need to immediately gazette the bill, which will mete out stiffer penalties to those who endanger animals.

### \*Cases before the Animal Welfare Bill was passed

#### DEC 19, 2005:

A police officer, who was washing his car, went to check on a commotion that involved a mechanic who was beating his puppy with a rubber hose and kicking it in Bandar Sunway, Selangor. The 3-month-old mongrel named So Chai sustained a broken leg from the abuse and the mechanic, 43, was detained for abusing the animal. So Chai was placed under the care of the Veterinary Services Department.

#### AUG 27, 2010:

A man in his 60s chained his pet dog to his four-wheel-drive vehicle's rear bumper and dragged it for more than 100m, leaving a trail of blood on the road in Taman Molek, Johor Baru. A neighbour and member of Johor Society for Prevention of Cruelty to Animals (SPCA) lodged a police report over the incident. Officers from the state Veterinary Services Department visited the dog owner and issued him a warning.

#### SEPT 7, 2011:

Pet boarding centre Petknode Cat Boarding in Kuala Lumpur sparked anger among animal lovers for allegedly starving more than 200 cats and a dog on its premises. The management issued an apology and claimed it lacked manpower to care for the animals. More than 20 pet owners lodged police reports against the boarding centre, and the case caught the attention of Prime Minister Datuk Seri Najib Razak, a cat-lover, who ordered the authorities to take swift action against those responsible.

#### AUG 2, 2012:

Shop assistant Kumbang Jui, 55, was jailed a month by the magistrate's court for killing five puppies in Kuching, Sarawak, on July 18, 2012. He became the first person to be charged under Sarawak's Cruelty to Animals (Prevention) Ordinance, which is a law that has been in the statute book for 49 years.

### \*Cases after the Animal Welfare Bill was passed

#### JULY 21, 2015:

A 7-month-old pet dog named Mike was shot by a People's Volunteer Corps (Rela) member after the man claimed that the dog tried to bite him in Bandar Seri Alam, Johor Baru. A veterinarian removed 10 pellets from the mongrel, most of which were lodged in its skull. It was put down due to severe wounds. Police arrested the man for wrongfully discharging firearms.

#### APRIL 4, 2016:

A security guard used a bat to beat a street dog, which was said to have strayed into the car park of a shopping mall in Cheras, Selangor, to seek shelter from rain. The case angered Netizens, who shared photos of the injured dog.

#### DEC 27-31, 2016:

Personnel from the Danau Girang Field Centre (DGFC) and Sabah Wildlife Rescue Unit (WRU) found the carcass of two Borneo pygmy elephants in an estate bordering the Kawag Forest Reserve in Kinabatangan, Sabah. One of the elephants was a 25-year-old named Sabre with tusks that grew downward similar to the prehistoric saber-tooth tiger. It was rescued from an oil palm plantation in Tawau four months earlier. The other elephant was 40 years old. Authorities believe the animals, which were found 1.5km apart, may have been killed by professional ivory hunters.



#### JAN 19:

A chief executive officer of a company was fined RM5,000 by the Kuala Lumpur magistrate's court for causing pain and misery to a 23-year-old male Dutch Warmblood horse.

Datuk Norhisam Mohamed @ Mohamed Nor, 43, pleaded guilty to the charge of unreasonably causing pain and misery to the horse at a stable at the Bukit Kiara Equestrian and Country Resort compound at 12.40pm on May 24 last year, under Section 44(1)(d) of the Animals Act (Amendment) 2013 [Act A1452].

#### JAN 10:

A black dog with its neck tied to the rear of a lorry was dragged by a man along Jalan Pandaruan in Limbang, Sarawak. A police report was lodged against the lorry driver by a man from Kuching. Limbang district police chief Superintendent Mohd Bukhori Safai said a probe was launched by the police under Sarawak's Cruelty to Animals (Prevention) Ordinance.