

## STATE OF SABAH

### DOGS ORDINANCE, 1960 (Sabah No. 24 of 1960)

#### LIST OF AMENDMENTS

<i>Ordinance/ Enactment No.</i>	<i>Sections amended</i>	<i>Effective date of amendment</i>
G.N.S. 59/1962	Sch.	15-6-1962
G.N.S. 87/1965	3 (2), 11	16-9-1963
Act 160	8, 10 (1), (2)	29-8-1975
8/1994	8	15-9-1994

An Ordinance to provide for the licensing and control of dogs.

[1st January, 1961.]

ENACTED by the Legislature of North Borneo as follows:

#### **Short title and application.**

1. (1) This Ordinance may be cited as the Dogs Ordinance, 1960, and shall come into operation on the first day of January, 1961.

(2) The provisions of this Ordinance relating to the licensing of dogs and the use of collars and metal labels shall only apply to the areas from time to time specified in the Schedule being, or being within, the area of a local authority.

**Licensing.**

2. (1) The owner of any dog shall apply for such dog to be licensed annually at the office of the local authority.

(2) Application for licensing a dog shall be made before the 31st day of January in each year or, if the dog shall not then have attained the age of three months, before the dog shall have attained such age.

(3) The licence fee shall be such as may be prescribed and any such fee paid shall be credited to the revenue of the local authority.

(4) On payment of the licence fee the owner shall be furnished with a printed licence in such form as may be prescribed containing a description of the dog and with a metal label bearing the licensed number of the dog.

**Pounds.**

3. (1) A pound may be established at every police station within any area specified in the Schedule and when any dog has been impounded under the provisions of this Ordinance, the owner claiming release of the dog shall be liable to pay such fee as may be prescribed for every day or part of a day that the dog has been impounded. The officer in charge of police district may order any dog which has been impounded to be sold or destroyed if it is not claimed within seven days.

(2) Fees paid and the proceeds of any sale under this section shall be paid into the general revenue of Sabah.

**Order as to destruction of stray dogs.**

4. (1) The officer in charge of police district may, by order to be published in the *Gazette*, appoint a period not exceeding twenty-four hours within which any dog found straying in any street, road or public thoroughfare, or beyond the premises of the owner of such dog, may be destroyed, whether the dog be duly licensed or not.

(2) Such order shall be limited to the police district of the officer making the order and may be limited to any part of such area.

(3) At least ten days before the commencement of the period appointed notice shall be given of the said order throughout the area affected by it, by publishing the order twice in one English and twice in one Chinese newspaper, if any, circulating in the area and also affixing such order to every court-house, police station, and market in such area, and by proclaiming the same in every village.

**Powers of police as to dangerous dogs.**

5. (1) Any police officer may secure and impound any dog reasonably suspected to be mad or dangerous found at large in or near any public road, street or thoroughfare under circumstances of danger to the public; and if there is reasonable ground to believe that any such mad or dangerous dog cannot be secured or impounded without risk of injury to the person of any police officer attempting to secure the same, it shall be lawful for such police officer to shoot or otherwise destroy such dog.

(2) When any dog reasonably suspected to be mad or dangerous has been impounded the officer in charge of police district may order it to be destroyed forthwith.

**Ferocious dogs.**

6. (1) If it be proved to the satisfaction of a Magistrate that any dog is in the habit of running at persons, or at vehicles, horses or cattle passing along a public thoroughfare, the owner of such dog shall be guilty of an offence.

(2) Whoever negligently suffers to be at large any ferocious dog without a muzzle shall be guilty of an offence.

(3) If it be proved to the satisfaction of a Magistrate that any ferocious dog has bitten or attempted to bite any person the Magistrate may order it to be destroyed.

**Confinement.**

7. The owner of any—

- (a) dog suffering from mange; or
- (b) bitch in season,

shall keep such dog or such bitch in confinement and any person contravening the provisions of this section shall be guilty of an offence.

**Rabies.**

8. If rabies appears in any district or municipality the District Officer or President may publish an order in such manner as he thinks fit requiring that all dogs be tied up or otherwise confined for such period as is stated therein, and any dog found at large shall be destroyed and the owner or person in charge of such dog shall be guilty of an offence and shall be liable on conviction to a fine of one thousand ringgit and imprisonment for six months.

**Impounding and destruction.**

9. (1) Any dog found on any premises without a collar may be destroyed, and any dog found on any premises with a collar but without a metal label bearing the licensed number of the dog for the current year may be impounded, by the owner or occupier or the servant of the owner or occupier of such premises or with the previous consent of the owner or occupier of such premises by any police officer.

(2) Any dog found straying in any street, road, public thoroughfare or other public place without a collar or a metal label bearing the licensed number of the dog for the current year may be impounded by any police officer or by any person generally or specially authorised by the local authority in this respect.

(3) Any dog found out of doors suffering from mange may be impounded by any police constable or by any person generally or specially authorised by the local authority in this respect.

(4) Any bitch in season found out of doors may be impounded by any person whomsoever.

(5) Any dog or bitch impounded under this section may be sold or destroyed by a police officer if not claimed within seven days.

**Penalties.**

10. (1) The owner of any dog which has not been licensed in accordance with this

Ordinance or which is found out of doors without a metal label bearing the licensed number of the dog for the current year shall be guilty of an offence and shall be liable on conviction, to a fine of one hundred ringgit.

(2) Any person committing an offence against this Ordinance for which no penalty is expressly provided shall be liable on conviction, to a fine of one hundred ringgit.

**Power to amend Schedule and make rules.**

11. The Yang di-Pertua Negeri\* may by order from time to time add to, alter or amend the Schedule and may make rules† prescribing fees to be charged, which may be different in different areas, and for carrying out the purposes of this Ordinance.

**Repeal.**

12. The Dogs Ordinance [*Cap. 38.*], including subsidiary legislation made thereunder, is repealed.

SCHEDULE

Any area declared to be town or township under the provisions of section 6 of the Local Government Ordinance, 1961 [*Ord. No. 11/1961.*].

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\* "Yang di-Pertua Negeri" substituted for "Yang di-Pertua Negara" by virtue of Enactment No. 17 of 1976.

† See G.N.S. 193/1960.