

THE UNION OF MYANMAR
THE STATE LAW AND ORDER RESTORATION COUNCIL

ANIMAL HEALTH AND DEVELOPMENT LAW

25th November, 1993

The State Law and Order Restoration Council

Animal Health and Development Law

(The State Law and Order Restoration Council Law

No. 17/93)

The 12th Waxing Day of Tazaungmon, 1355 ME

(25th November, 1993)

The State Law and Order Restoration Council hereby enacts the following law:-

CHAPTER I

Title and Definition

1. The Law shall be called the Animal Health and Development law.
2. The following expressions contained in this law shall have the meanings given hereunder: -
 - (a) Animal means domestic animal bred by man or captured for a certain purpose. This expression also includes the semen, ovum or embryo of the animal:
 - (b) Animal product means milk, egg or any part of an animal:
 - (c) Animal Feed means feed sold on a commercial scale for the purpose of feeding animals and which is scientifically prepared or conventionally mixed or without preparation or mixing:
 - (d) Infectious Disease means any animal disease notified as a contagious disease by the Ministry:
 - (e) Recommendation Certificate means a certificate issued under section 8 sub-section (b) of this law:
 - (f) Ministry means the Ministry of livestock Breeding and Fisheries:
 - (g) Minister means the livestock Breeding and Veterinary Department:

- (h) Department means the livestock Breeding and Veterinary Department:
- (i) Director General means the Director General of livestock Breeding and Veterinary Department.

CHAPTER II

Objectives

- 3. The objectives of this law are as follows:-
 - (a) to carry out animal health and development work:
 - (b) to promote livestock development:
 - (c) to prevent outbreak of contagious disease in animals and to control the outbreak systematically when it occurs;
 - (d) to inspect imported animal, product and animal feed;
 - (e) to issue recommendation certificate concerning animal, animal product and animal feed for export:
 - (f) to protect animals by law from being ill-treated.

CHAPTER III

Animal Health and Development

- 4. The Development shall for the purpose of animal health and development carry out the following functions:-
 - (a) disseminating technical knowhow to those desiring to raise animal under modern technology;
 - (b) carrying out works for obtaining improved breed animals suitable for Myanmar:
 - (c) supervising importation of improved breed animals;
 - (d) carrying out research on vaccines that protect animals from contagious diseases and producing the vaccines;

- (e) carrying out research on utilizing natural vegetation, crops in the country for animal feed:
- (f) inspecting of imported animal product and animal feed for standard quality, the presence of harmful pathogens or toxins.

CHAPTER IV

Inspection of animal feed for domestic sale

- 5. The Director General may:-
 - (a) inspect animal feed for domestic sale in the prescribed manner;
 - (b) prohibit further sale of animal feed if it is found that the animal feed for sale is harmful to animals;
 - (c) make a list of animal feed sellers.
- 6. A person who sells animal feed shall, in respect of the animal feed he sells:-
 - (a) submit for inspection by the Department;
 - (b) abide by the prohibition made by the Department in accordance with the Law.

CHAPTER V

Inspection of Animal, Animal Product and Animal Feed

For Exportation

- 7. A person exporting animal, animal product of animal feed may, on desiring a recommendation certificate, apply to the Department in the prescribed manner.
- 8. The Director General shall, in respect of the application for recommendation certificate:-
 - (a) inspect in the prescribed manners, an animal if it is free from contagious disease, animal product or animal feed if it is of standard quality and free from harmful pathogens or toxins;

- (b) issue recommendation certificate if it is found to be in conformity with the prescribed stipulations.
9. (a) The applicant for the recommendation certificate shall pay the prescribed fees;
- (b) Examination fee, recommendation certificate fee and other expenses shall be as determined by the Director General.

CHAPTER VI

Inspection of Imported Animal, Animal Product and

Animal Feed

10. A person importing animal, animal product or animal feed shall submit to inspection by the Department.
11. The Department shall, with the approval of the Ministry establish inspection Stations in required regions for inspection of imported animal, animal product or animal feed.
12. The Director General, in respect of the imported animal, animal product or animal feed:-
- (a) shall inspect in the prescribed manner an animal if it is free from contagious disease, animal product or animal feed if it is of standard quality and free from harmful pathogens or toxins;
 - (b) may prohibit the animal from being transported into the country, may temporarily detain the animal, may allow retransportation or destruction if found to be infected with contagious disease;
 - (c) may prohibit the animal product or animal feed being transported into the country, may temporarily detain it, may allow retransportation or destruction if on inspection, it is found that it is not of the standard quality and if it contains harmful pathogens or toxins;

- (d) shall issue recommendation certificate if, on inspection in accordance with clause (a), the animal is found to be free from contagious disease, the animal product or animal feed is found to be of standard quality and free from harmful pathogens or toxins.
13. (a) A person importing animal, animal product or animal feed shall pay the prescribed fees;
- (b) Inspection fee, recommendation certificate fee and other expenses shall be as determined by the Director General.

CHAPTER VII

Prevention and Control of Contagious Disease

14. The Ministry shall notify the contagious diseases of animals from time to time.
15. The Department:-
- (a) shall lay down necessary preventive measure to the effect that no contagious occur in animals;
 - (b) shall make arrangement to eradicate the disease in the contagious disease affected areas and to prevent spreading of disease to other regions;
 - (c) shall notify the Disease Free Zone in accordance with the prescribed manners;
 - (d) may issue necessary order or directive for prevention or control of contagious disease.
16. The owner of an animal or a person who has in his possession an animal an animal shall report promptly to the employee in charge of the Department of either a village tract or a township or a person designated for this purpose by the Ministry, if he knows the occurrence of contagious disease in the animal or finds symptoms of contagious disease in the dead animal.
17. A veterinarian shall report promptly to the nearest employee of the Department if the finds that the animal he treats is suffering from contagious disease.

CHAPTER VIII

Prevention of Cruelty to Animal

18. The Director General;-
- (a) shall carry out educative measures to prevent man from willfully ill-treating the animal;
 - (b) may prescribe the maximum weight of load to be carried by or load to be drawn by a certain species of animal;
 - (c) shall carry out educative measures regarding the methods to be observed by the public in respect of transporting, binding or keeping of animals;
 - (d) shall take measure for treatment of ill-treated animals at the Veterinary Center established by the Department;
 - (e) shall prescribe the expenses payable by the owner of an animal or a person who has an animal in his possession for treatment, feeding and talking care of the animal at the Veterinary Centre.

CHAPTER IX

Appeals

19. A person dissatisfied with the decision or order made under this Law by any officer of the Department may appeal to the Director General within 60 days of the receipt of such decision or order.
20. A person dissatisfied with the decision or order made by the Director General may appeal to the Minister within 30 days of the receipt of such decision or order.
21. The decision of the Ministry shall be final.

CHAPTER X

Offences and Penalties

22. If a person who sells animal feed commits any of the following act, he shall on conviction be punishable with fine which may extend to kyats 5,000 or with imprisonment for term which may extend to 6 months or with both;-

- (a) refusing to submit for inspection by the Department of the animal feed for sale;
- (b) selling animal feed prohibited animal feed commits any of the following acts , he shall on conviction be punishable with fine which may extend to kyats 5,000 or with imprisonment for a term which may extend to 6 months or with both;-
 - (a) refusing to submit for inspection by the Department of imported animal, animal product or animal feed;
 - (b) transporting into the country, distributing, selling of imported animal, animal product or animal feed without obtaining a recommendation certificate issued by the Department.

24. If the owner of an or a person who has an animal in his possession with any of the following acts, in respect of the animal, he shall, on conviction, be punishable with fine which may extend to kyats 5,000 or with imprisonment for a term up to 6 months or with both:-

- (a) failing to comply with the order or directive issued by the Department regarding control contagious disease;
- (b) failing to report to the concerned knowingly of the outbreak of contagious disease;
- (c) failing to report to the concerned knowingly of the contagious disease symptom in the dead animal.

25. Whoever commits any of the following acts in respect of the animal shall on conviction be punishable with fine which may extend to kyats 1,000;-

- (a) causing to work cruelly or causing to carry or draw more than the prescribed weight;

- (b) willfully ill-treating;
- (c) unnecessarily maiming;
- (d) wilfully keeping it without food and water;
- (e) neglecting to give proper treatment and care though being sick or wounded;
- (f) letting to stray in public place though being suffering from contagious disease or wounded.

26. The Court shall on conviction under section 22 or section 23, impose punishment as prescribed for the relevant offence and in addition pass orders for confiscation or destruction of exhibits in respect of which the offence has been committed.

CHAPTER XI

Miscellaneous

27. The Ministry may delegate the authority to inspect animal product or animal feed for exportation or importation and to issue recommendation certificate, which is to be performed under this law, to any appropriate Government department or organization.

28. The Ministry may exempt Government department or any organization from payment of inspection fee, recommendation certificate fee and other expenses payable under this Law.

29. A Government department which has the authority to issue import licence or permit for importation of animal, animal product or animal feed shall obtain the opinion of the Department prior to the issuance of such licence or permit.

30. The Director General may delegate the powers conferred on him under this Law to any officer of the Department.

31. Inspection work on animal, animal product or animal feed under this Law shall be done:-

- (a) without affecting the smooth and steady flow of trade;
- (b) without delay in inspection.

32. The People's Police Force shall render necessary assistance when the personnel of the Department are taking action against offences under this Law.
33. For the purpose of carrying out the provisions of this Law:-
- (a) the Ministry may, with the approval of the Government, issue such rules and procedures as may be necessary;
 - (b) the Ministry or Department may issue such orders and directives as may be necessary.
34. The following Acts are hereby repealed:-
- (a) The Live-stock Importation Act, 1898;
 - (b) The Glanders and Farcy Act, 1899;
 - (c) The Dourine Act, 1910;
 - (d) The Prevention of Cruelty to Animals Act, 1930;
 - (e) The Animal Pests Act, 1939.

(Sd) Than Shwe

Senior General

Chairman

The State Law and Order Restoration Council

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