

ENACTMENT No. 8 of 1972

I ASSENT,

ISMAIL,

Sultan of Trengganu

6-5-1972.



An Enactment to prohibit the keeping of cattle within restricted areas in the State.

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IT IS HEREBY ENACTED by the Legislature of the State of Trengganu as follows:

1. This Enactment may be cited as the Prohibition of Cattle Within Restricted Areas Enactment, 1972 and shall be deemed to have come into force from the date of publication in the *Gazette*. Short title.

2. In this Enactment unless the context otherwise requires: Interpretation.

(a) "Cattle" means bulls, cows, oxen, heifers and calves and includes buffaloes, goats, sheep and pigs of any age or sex or kind;

(b) "Proper Authority" means the State Chief Medical and Health Officer, Trengganu, the President of the Town Council, Kuala Trengganu, the State Veterinary Officer, the District Officer, the Officer-in-Charge of a Police District and the Medical and Health Officer in Charge of District Hospitals.

3. The Ruler in Council may, if he considers it expedient for the purpose of preserving public health by notification in the *Gazette*, declare that such category, class or kind of cattle as may be named therein or without specifying the category, class or kind shall not be kept within such part of the State or area of a District or Town as may be specified therein (hereinafter referred to as restricted area). Gazetting of restricted area.

4. (1) Upon the expiration of two months from the date of the notification in the *Gazette* of such declaration required under the preceding section, any cattle which is prohibited from being kept in any restricted area may be Keeping of cattle within restricted area prohibited.

seized or be shot by the Proper Authority or by such person as may be authorised in writing by the Proper Authority and taken forthwith to any Government or authorised slaughter house to be slaughtered therein or disposed of in such manner as the Proper Authority may determine.

(2) The meat or carcass of any cattle slaughtered under the provision of sub-section (1) of this section shall be disposed of in such manner as the Proper Authority may determine.

Adequate
compensa-
tion.

5. (1) The proceeds, if any, of the sale of any cattle or cattle meat slaughtered under the provision of section 4 after deducting all the necessary expenses, shall be held by the Proper Authority concerned until a claim is made by the rightful owner of the cattle.

(2) If within six months from such sale or disposal no person has established a claim to the ownership of such property the nett proceeds thereof shall thereupon pass to and vest in the Government or the State or the Town Council as the case may be.

Cattle
owner
found in
restricted
area.

6. (1) Any owner or person in charge of any cattle found in the restricted area shall be guilty of an offence under this Enactment and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 12 months or to both fine and imprisonment.

(2) Any person found within close proximity of any cattle shall be presumed to be the owner of such cattle until proved to be the contrary.

Obstructs
Officers in
the execu-
tion of their
duties.

7. Any person who without lawful excuse, obstructs or impedes or assists in obstructing or impeding the Proper Authority or such person as authorised by the Proper Authority in the exercise of his duties under this Enactment or any rule or order made thereunder shall be liable to a fine not exceeding \$500 or imprisonment for a term of 6 months or both.

Penalty for
second
conviction

8. Any person convicted of an offence against this Enactment who is within a period of 12 months from the date of such conviction, convicted of a second or subsequent offence against this Enactment shall be liable to a fine not exceeding \$3,000 or imprisonment of 2 years or to both such fine and imprisonment.

9. No liability shall be attached to the Government or the Town Council or to any officer in respect of any expense and/or injury arising in or from the lawful exercise of the powers conferred by this Enactment.

Non-
liability of
officers.

10. The Ruler in Council may by notification in the *Gazette* make rules generally to give effect to the provisions of this Enactment.

Rules.

11. Any prosecution in respect of any offence against this Enactment may be conducted by:

Conduct of
prosecution.

- (a) the Deputy Public Prosecutor;
- (b) the District Officer;
- (c) the Health Officer not below the rank of Public Health Inspector appointed for this purpose by the State Chief Medical and Health Officer;
- (d) Any Veterinary Officer not below the rank of Veterinary Assistant;
- (e) Any Police Officer not below the rank of Inspector.

12. The Control of Buffaloes Enactment No. 2 of 1343 is hereby repealed.

Repeal.

Passed by the State Legislative Assembly on this 27th day of March, 1972.

[SUK. Tr. 572/59; PUN. Tr. 22/39.]

KHALID BIN AWANG,
*Clerk of the State Legislative Assembly,
Trengganu*