

WILDLIFE CONSERVATION ACT 2010

WILDLIFE CONSERVATION (OPERATION OF ZOO) REGULATIONS 2012

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IN exercise of the powers conferred by paragraphs 132(2)(e) and (f) of the Wildlife Conservation Act 2010 [Act 716], the Minister makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Wildlife Conservation (Operation of Zoo) Regulations 2012**.

(2) These Regulations comes into operation on 1 February 2012.

Interpretation

2. In these Regulations, unless the context otherwise requires:

“Act” means the Wildlife Conservation Act 2010 [Act 716];

“veterinary surgeon” means a person registered under the Veterinary Surgeons Act 1974 [Act 147];

“enclosure” includes the exhibition area of the wildlife and night stall;

“zoo operator” means any individual, statutory bodies, companies, associations or local authorities that own or operate the zoo;

“zoo” means any area or premises where the wildlife is kept or placed whether for the purposes of conservation, education, research or recreation, and is open to the public.

Requirement for permit

3. No person shall operate a zoo unless he holds a permit issued under the provisions of Chapter 2 of the Act.

Fee

4. The fee payable for a permit issued is one thousand ringgit per annum and shall be paid to the licensing officer in such manner as determined by the licensing officer.

Validity of permit

5. A permit approved under these Regulations shall be valid for such period as may be specified in the permit.

Enclosure

6. (1) Except for insecta and arachnida classes, any zoo operator shall provide an appropriate enclosure for each wildlife species according to the sizes as specified in the Schedule.

(2) The enclosure referred to in subregulation (1) shall have a design appropriate to the natural behaviour and basic needs of the wildlife.

(3) The design of the enclosure prepared by the zoo operator shall be submitted to the Director General for an approval.

Quarantine area

7. (1) The zoo operator shall provide a quarantine area for the placement or temporary isolation of any newly acquired wildlife for preventive or treatment purposes of any diseases that the wildlife may have.

(2) For the purpose of subregulation (1), any plan for the quarantine area, size and design of the enclosure for the wildlife shall be submitted to the Director General for an approval.

(3) The zoo operator shall ensure that the quarantine area is not open to any public.

(4) The zoo operator shall ensure that the wildlife is quarantined for a certain period as determined by the veterinary surgeon.

Diet

8. (1) The zoo operator shall ensure that any food and water provided for the wildlife—

(a) contain all the necessary nutrients, uncontaminated and is given in sufficient quantities as determined by the veterinary surgeon;

(b) correspond with the natural diet of the species, physiological condition and sex of the wildlife.

(2) The zoo operator shall maintain and keep the records of the diet given to each wildlife.

Wildlife health care

9. (1) The zoo operator is responsible for ensuring the health care of the wildlife at the zoo under his control.

- (2) For the purpose of subregulation (1), the zoo operator shall—
- (a) employ at least one full-time veterinary surgeon to be stationed at the zoo or to appoint a permanent consultant veterinary surgeon if unable to do so, subject to subregulation (4);
 - (b) provide a veterinary clinic and hospital in the zoo;
 - (c) ensure that post mortem to be conducted on all dead wildlife and recorded by the veterinary surgeon;
 - (d) tag and record all births of the wildlife in the zoo;
 - (e) maintain and keep records of all matters relating to the management of each wildlife in the zoo; and
 - (f) report to the veterinary authority if any wildlife is infected or suspected to be infected with diseases or died or suspected to have died of diseases, in accordance with the requirements of under the Animals Act 1953 [Act 647].

(3) Paragraphs 9(2)(a) until (d) shall not apply to insecta and arachnida classes.

(4) The zoo operator shall obtain the written approval of the Director General before appointing the permanent consultant veterinary surgeon referred to in paragraph (2)(a) and of any changes to the appointment.

Cleaning of enclosure

10. The zoo operator shall maintain the cleaning activities of the enclosure of the wildlife at the zoo and keep all records in relation to the cleaning of each enclosure of the wildlife at the zoo.

Vaccination of wildlife

11. The zoo operator shall ensure that any vaccination to the wildlife is to be conducted by the veterinary surgeon or any other person under the supervision of the veterinary surgeon.

Euthanasia

12. (1) Euthanasia on any wildlife at the zoo can only be conducted by a veterinary surgeon or any other person under the supervision of the veterinary surgeon.

(2) Euthanasia on any wildlife can be conducted if the veterinary surgeon finds that upon examination, the wildlife is injured or suffering from an incurable illness or for any other reasons which he thinks necessary to terminate the life of the wildlife.

Wildlife show

13. (1) Any zoo operator who wants to hold a wildlife show activity in the zoo under his control shall submit a written application to the Director General.

(2) The Director General may approve the application under subregulation (1) provided that the wildlife show—

- (a) is performed based on the wildlife natural behaviour;
- (b) does not involve any force, abuse or any element of force to the wildlife; and
- (c) does not cause distress, pain and fear to the wildlife.

(3) The wildlife used for the wildlife show activity shall not be placed in the transfer cage for more than one hour in a day.

Deposit

14. (1) Notwithstanding section 112 of the Act, every zoo operator shall deposit a sum of money as a deposit as determine by the Director General for the purpose of financing any costs incurred by the Government in seizing, keeping and maintaining any wildlife seized from the zoo operator in accordance with the Act.

(2) If the deposit has been utilised either partly or wholly, the zoo operator shall redeposit sufficient amount of money to the Director General within the period as determine by the Director General.

(3) The deposit shall be refunded to the zoo operator if the zoo operation is discontinued.

Penalty

15. Any person who contravenes any provisions of these Regulations shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding one hundred thousand ringgit or imprisonment for a term not exceeding five years or both.

SCHEDULE
(Regulation 4)
Enclosure Sizes

A. Mammals

Species category	Night stall size for one animal			Minimum size for exhibit area (one pair) (m ²)	Minimum size for non-exhibit area (one pair) (m ²)	Increase in size of the night stall/ area for each additional individual (%)
	Length (m)	Width (m)	Height (m)			
Large carnivores	4.0	3.0	3.0	500	50	10
Small mammals, small carnivores	3.0	2.0	2.5	80	8	10
All bear species	4.0	3.0	3.0	300	30	10
All rhinoceros species, hippos, tapir	5.0	4.0	3.0	500	50	10
Wild cattle*	5.0	4.0	3.0	500	50	5
All deer species, wild horses, antelopes, camelids, wild goats*	5.0	4.0	3.0	300	30	2
Great apes	4.0	3.0	3.0	300	30	5
Medium sized primates	3.0	2.5	3.0	150	15	5
Small primates**	2.0	2.0	2.0	50	5	5
Elephants	8.0	6.0	6.0	1000	100	5
Giraffes	6.0	4.0	6.0	500	50	5
Kangaroo, wallabies*	3.0	2.0	3.0	200	20	5
Large mouse deer, lesser mouse deer*	2.0	2.0	2.0	50	5	5

* At least two night stall for each exhibit area

** Excluding free-ranging species

B. Reptiles and Amphibians

Species category	Minimum enclosure size (m ²)	Minimum size of watery area in enclosure (m ²) for species that require watery area	Increase in size of the area for each additional individual (%)
Crocodiles, gharials, alligators (up to 10 heads)	100	40 (minimum depth of 1 metre)	10
Pythons, boas, anacondas, cobras, dwarf crocodile, water monitor lizard (up to 2 heads)	30	5 (minimum depth of 0.5 metre)	10
Other snakes (up to 2 heads)	4	-	10
Water snakes (up to 2 heads)	4	1	10
Monitor lizard, iguanas (up to 2 heads)	20	-	10
Komodo dragon (up to 2 heads)	100	-	10
Geckos, small lizards (up to 2 heads)	1	-	10
Terrapin, softshell turtle (up to 2 heads)	9	4	10
Tortoises (up to 2 heads)	4	-	10
Amphibians (up to 2 heads)	1	0.5	10

C. Aves

Species category (up to 2 heads)	Minimum aviary size (m ²) per pair	Minimum aviary height (m)	Minimum water content in the aviary (m ²)	Increase in size of the area for each additional individual (%)
Big-sized raptors (Genus: <i>Anthracoseros</i> , <i>Buceros</i> , <i>Anorrhinus</i> , <i>Aceros</i> , <i>Ictinaetus</i> , <i>Aquila</i> , <i>Spilornis</i> , <i>Circaetus</i> , <i>Neophron</i> , <i>Gyps</i> , <i>Aegyptius</i> , <i>Sarcogyps</i> , <i>Haliaeetus</i> , <i>Ichthyophaga</i> and <i>Spizaetus</i>)	100	6	-	10

Species category (up to 2 heads)	Minimum aviary size (m ²) per pair	Minimum aviary height (m)	Minimum water content in the aviary (m ²)	Increase in size of the area for each additional individual (%)
Medium-sized raptors (Genus: <i>Hieraaetus</i> , <i>Butastur</i> , <i>Buteo</i> , <i>Accipiter</i> , <i>Circus</i> , <i>Macheiramphus</i> , <i>Pernis</i> and <i>Aviceda</i>)	40	5	-	10
Other small-sized raptors	25	4	-	10
Big-sized pheasants (Genus: <i>Tragopan</i> , <i>Argusianus</i> , <i>Pavo</i>)	30	4	-	10
Other small-sized pheasants	20	3	-	10
Water birds (a variety of species up to 10 heads)	50	6	25 (depth of 0.5 metre)	10
Penguin (up to 10 heads)	80	2	40 (depth of 2 metre)	10
Wild birds (variety of species until 10 heads)	40	6	-	10
Ostrich, emu and cassowary (<i>Big flightless birds</i>)	100	1.8 (height of fence)	0.5	10
Parrot, parakeet (up to 10 heads)	10	3	-	10
Macaws, cockatoos	40	6	-	10

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