

LAWS OF BRUNEI

CHAPTER 59

BUFFALOES

6 of 1908
6 of 1933
(Cap. 59 of 1951)

Amended by
S 99/59

LAWS OF BRUNEI

CHAPTER 59

BUFFALOES

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Interpretation.
3. Savage buffalo.
4. Buffaloes committing damage on cultivated land.
5. Liability for damage done by buffaloes.
6. Damage done by buffaloes to roads.
7. Cultivation of lands in grazing areas.
8. Provision as to sick or dead buffaloes.
9. Penalties.
10. Annual census of buffaloes.
11. Examination of buffaloes on entry into Brunei Darussalam or district.
12. His Majesty in Council may make rules.

BUFFALOES ACT

An Act to provide for the control of buffaloes and cattle

Commencement: 1st January 1909

1. This Act may be cited as the Buffaloes Act. Short title.

2. In this Act and in any rules made thereunder unless the context otherwise requires — Interpretation.
 - “buffalo” includes cattle;
 - “cattle” means bulls, cows, oxen, heifers and calves.

3. (1) It shall be the duty of the owner of any savage buffalo to destroy the same forthwith. Savage buffalo.
 - (2) If such owner neglect to do so any person may report the matter to a police officer who may destroy such buffalo if he shall find the same to be dangerous.

4. In places in which it is customary to plant padi, in the event of any buffalo straying during the padi season on to any cultivated land and committing damage thereon it shall be lawful for any police officer or for the owner or occupier of such land to impound such buffalo when found committing damage as aforesaid. Buffaloes committing damage on cultivated land.

5. The owner or person in charge of a buffalo shall be liable for all damage done by such buffalo which may arise from such buffalo not being properly folded, tethered or otherwise kept under control, and may also be charged before the nearest magistrate for permitting the buffalo to stray and, on conviction, shall be liable to a fine of \$500, or, in default of payment, imprisonment for 6 weeks. Liability for damage done by buffaloes.

6. When any damage is done by stray buffaloes to public roads the *penghulu* of the *mukim* in which such roads are situate shall direct such of the people of the *mukim* as own a buffalo or Damage done by buffaloes to roads.

buffaloes to repair such damage, and such person shall be legally bound to obey the directions of the headman; and any person wilfully refusing to obey the same shall be guilty of an offence: Penalty, a fine of \$50.

Cultivation of lands in grazing areas.

7. Nothing hereinbefore contained shall apply to damage done by buffaloes to lands cultivated in places in which it is customary to graze buffaloes, such lands being cultivated entirely at the risk of the persons cultivating them who must take such precautions as are necessary to protect their crop.

Provision as to sick or dead buffaloes.

8. (1) In the event of any buffalo falling sick, whether such sickness be infectious or not, it shall be the duty of the owner or person in charge of such buffalo —

(a) forthwith to report such sickness to the Director of Agriculture and at the nearest police station; and

(b) to remove such buffalo from the common grazing ground and isolate it.

(2) In the event of the death of any buffalo the owner or person in charge thereof shall forthwith report the same to the Director of Agriculture and at the nearest police station.

Penalties.

9. Any owner or person in charge of a buffalo who shall fail to comply with any of the provisions of section 3 or 8 shall be guilty of an offence: Penalty, a fine of \$500.

Annual census of buffaloes.

10. (1) In the month of Sya'ban in every year the Director of Agriculture shall take a census of the buffaloes in each district of Brunei Darussalam.

(2) The headman of every kampung shall, for the purpose of such census, send to the Director of Agriculture a return showing the number of buffaloes in the kampung and the name and residence of the owner of each buffalo.

Examination of buffaloes on entry into Brunei Darussalam or district.

11. (1) His Majesty the Sultan and Yang Di-Pertuan in Council, may from time to time, by public notification direct that the provisions of this section shall, for a period to be specified in such notification, apply to any country or district

named in such notification and the following provisions shall thereupon have effect —

- (i) All cattle about to enter Brunei Darussalam from the country named in the notification or about to enter another district of Brunei Darussalam from the district named in the notification shall, upon reaching the frontier, be confined in a quarantine shed or enclosure for a period of 10 days and shall, at the expiration of such period, be examined by an officer to be appointed by His Majesty in Council to ascertain if such cattle are free from contagious and infectious disease;
- (ii) If such officer is satisfied that the cattle are free from contagious and infectious disease, he shall grant to the owner or person in charge of the cattle a certificate of entry, and such cattle shall thereupon be permitted to enter Brunei Darussalam or district;
- (iii) For every head of cattle confined as aforesaid a fee of \$5, exclusive of the cost of maintaining the same, shall be paid by the owner or person in charge of the cattle to the Director of Agriculture for the benefit of the public revenue.

(2) Any owner or person in charge of cattle bringing or attempting to bring such cattle into Brunei Darussalam, or from one district of Brunei Darussalam into another district thereof contrary to the terms of this Act shall be guilty of an offence: Penalty, a fine of \$500, or, in default of payment, to imprisonment for 3 months, and the magistrate may also order that the cattle be forfeited.

(3) The provisions of this section shall not apply to any cattle in respect of which there is produced by the owner or person in charge a certificate of recent date by a duly qualified veterinary surgeon or medical officer to the effect that the cattle referred to in the certificate are free from contagious and infectious disease.

His Majesty in Council may make rules.

12. (1) It shall be lawful for His Majesty in Council from time to time to make and publish rules not inconsistent with the general purposes of this Act and when made cancel, vary or extend the same.

(2) Such rules may provide among other things for —

(a) the imposition and collection of inspection and slaughtering fees;

(b) the control of the slaughter of cattle;

(c) the fixing of penalties for contraventions of any rules made under this Act.

SUBSIDIARY LEGISLATION

Rules under section 12

**BUFFALOES AND OTHER CATTLE (RESTRICTION ON
SLAUGHTER, EXPORT AND TRANSFER) RULES**

ARRANGEMENT OF RULES

Rules

1. Citation.
 2. Restriction on slaughter, export and transfer of cattle.
 3. Penalty.
-

SUBSIDIARY LEGISLATION

Rules under section 12

**BUFFALOES AND OTHER CATTLE (RESTRICTION ON
SLAUGHTER, EXPORT AND TRANSFER) RULES**B.R.O.N.
48/47*Commencement: 3rd October 1947*

1. These Rules may be cited as the Buffaloes and Other Cattle (Restriction on Slaughter, Export and Transfer) Rules. Citation.
2. Subject to the provisions of section 3 of the Act, no cattle may be slaughtered, exported or transferred from one district to another except with the express permission of the Director of Agriculture. Restriction on slaughter, export and transfer of cattle.
3. Any person contravening the provisions of rule 2 shall be guilty of an offence: Penalty, a fine of \$500 in respect of every animal unlawfully slaughtered, exported or transferred. Penalty.