



## LEGAL AND POLICY FRAMEWORKS AFFECTING THE MANAGEMENT OF ANIMAL GENETIC RESOURCES - 2013 -

Country: Malaysia

### SECTION 1: SUSTAINABLE USE, DEVELOPMENT AND CONSERVATION OF ANIMAL GENETIC RESOURCES

This section targets information on legislation and policies related specifically to the management of animal genetic resources, i.e. to:

- characterization, surveying and monitoring;
- sustainable use and development;
- conservation; and
- research and development related to animal genetic resources management.

It also includes issues related to patenting and access and benefit sharing. Instruments in these fields of action may or may not include specific provisions related to animal genetic resources or to relevant broader categories such as living organisms or genetic resources for food and agriculture.

#### 1. Overall management of animal genetic resources

*Note: In the policy field, this might include, for example, a national strategy and action plan for animal genetic resources.*

Legislation  Policy

Details of the measure(s)

Malaysia's National Strategies and Action Plans for Agricultural Biodiversity Conservation and Sustainable Utilization (NSAP 2010).

Impact on animal genetic resources management

Gives direction and focus.

Future needs

Policy is new - 2010.

#### 2. Integration of animal genetic resources management with the management of other genetic resources for food and agriculture (plant, forest or aquatic genetic resources)

Legislation  Policy

Details of the measure(s)

Malaysia's National Strategies and Action Plans for Agricultural Biodiversity Conservation and Sustainable Utilization (2010).

Impact on animal genetic resources management

Link between various sectors under agrobiodiversity.

Future needs

Policy is new - 2010.

#### 3. Surveying and monitoring of animal genetic resources

Legislation  Policy

Details of the measure(s)

Under NSAP strategy - Establish Inventory of local FAnGRs.

Impact on animal genetic resources management

Preservation of local breeds and knowledge on local breeds.

Future needs

Financial input.

#### 4. Official recognition of livestock breeds

Legislation

Policy

Details of the measure(s)

Nil

Impact on animal genetic resources management

Nil

Future needs

Nil

#### 5. Animal breeding and genetic improvement strategies

Legislation

Policy

Details of the measure(s)

Under NSAP strategy - Genetic improvement of selected FAnGRs of importance to national heritage

Impact on animal genetic resources management

Improvement of strategically important livestock breeds.

Future needs

Financial inputs.

**Do these measures address:**

##### 5.1 Animal identification and recording

*Note: Sections 2 and 3 include questions on traceability and on animal identification as it relates to animal health. If relevant, please use cross-references to indicate that a given law or policy affects more than one field of action.*

Legislation

Policy

Details of the measure(s)

Under NSAP strategy - Establish identification and traceability mechanism together with performance recording.

Impact on animal genetic resources management

Better management and improvement of animal genetic resources.

Future needs

Financial inputs.

##### 5.2 The establishment and operation of breeders' associations

Legislation

Policy

Details of the measure(s)

Under NSAP strategy - Encourage establishment of breed societies.

Impact on animal genetic resources management

Better management of FAnGR and the engagement of local breeders.

Future needs

Financial inputs. Training.

#### 6. Use of reproductive biotechnologies (excluding zoonosantary issues)

*Note: Zoonosantary issues are covered in Section 3.*

Legislation  Policy

Details of the measure(s)

Nil

Impact on animal genetic resources management

Nil

Future needs

Though there is no written policy, in practice reproductive biotechnologies are being utilized.

## 7. Genetic modification of animals used for food and agriculture

Legislation  Policy

Details of the measure(s)

Malaysia Biosafety Act, 2007 under the purview of the Natural Resource & Environment ministry.

Impact on animal genetic resources management

Protection of animal genetic resources.

Future needs

Financial and training.

## 8. Suitability of imported genetic material for use in local production environments

*Note: For example, rules requiring a "genetic assessment" before genetic material can be introduced.*

Legislation  Policy

Details of the measure(s)

Under NSAP strategy - Ascertain breeds for future environments; Implement National Registration & Identification system for existing and imported breeding stock.

Impact on animal genetic resources management

Sustainability of breeds used in Malaysia.

Future needs

Financial inputs and training.

## 9. Conservation programmes for animal genetic resources

Legislation  Policy

Details of the measure(s)

Under NSAP - Enhance and establish gene banks for FAnGR breeds.

Impact on animal genetic resources management

Conservation and improvement of livestock breeds.

Future needs

Financing and training.

### Do these measures include provisions specifically related to:

#### 9.1 *In vivo* conservation

Legislation  Policy

Details of the measure(s)

Not specifically spelt out.

Impact on animal genetic resources management

Nil

Future needs

Nil

## 9.2 Cryoconservation

Legislation

Policy

Details of the measure(s)

Not specifically spelt out.

Impact on animal genetic resources management

Nil

Future needs

Nil

## 10. Research and development related to animal genetic resources management

Legislation

Policy

Details of the measure(s)

Under NSAP section on Research & Monitoring.

Impact on animal genetic resources management

Improvement and conservation of livestock breeds.

Future needs

Financing and training.

## 11. Patenting

Legislation

**If legislation is place or under development, does/will it include provisions (including exemptions) specifically targeting:**

Animal genetic resources for food and agriculture

Living organisms in general

Details of the measure(s)

Malaysia Patents Act, 1983. Plant or animal varieties or essentially biological processes for the production of plants or animals, other than man-made living micro-organisms, micro-biological processes and the products of such micro-organism processes are not patentable.

Impact on animal genetic resources management

None

Future needs

None

## 12. Access and benefit sharing arrangements

*Note: The Secretariat of the Commission on Genetic Resources for Food and Agriculture, on 8 August 2013, invited countries to report on the conditions under which genetic resources for food and agriculture are exchanged and used (Circular State Letter C/ NRD-5). Please coordinate responses within your country.*

Legislation

Policy

**If instruments are in place or under development, do/will they include provisions (including exemptions) specifically targeting:**

Animal genetic resources for food and agriculture

Genetic resources for food and agriculture in general

Details of the measure(s)

Legislation on Access and Benefit sharing are being drafted by the Natural Resource and Environment ministry.

Impact on animal genetic resources management

Ramifications not seen as yet.

Future needs

Nil

## SECTION 2: MARKETING AND CONSUMER INFORMATION AND PROTECTION

This section targets information on legislation and policies addressing the marketing of animal products, including those addressing:

- the production and marketing of organic products;
- the production and marketing of products sold under protected designations of origin or similar labels;
- production and marketing of products sold under labels indicating adherence to animal-welfare-related standards; and
- food safety.

While some policies and legislation in these fields of action may include specific references to animal genetic resources, it is likely that many will not. The latter may, nonetheless, have indirect effects on animal genetic resources and their management. Consumer demand for animal products often has a major influence on the use and development of animal genetic resources. A lack of demand may place a breed at risk of extinction. Marketing initiatives for breed-specific products, or products from production systems in which locally adapted breeds are kept, can provide a means of promoting the use of at-risk breeds and reducing the risk that they will become extinct. Legislation and policies that facilitate initiatives of this kind can have a positive effect in terms of the maintenance of animal genetic diversity. Conversely, legislation and policies that inhibit the marketing of particular types of products, or products from particular locations or production systems, may inhibit the use of animal genetic resources associated with these products, locations or production systems.

### 1. Marketing of animal products in general

*Note: This question refers to measures that are not specifically focused on market subsectors such as organic products or products with designated labels of origin.*

Legislation

Yes

Policy

Yes

Details of the measure(s)

Governed by Malaysian Food Act, 1983; National Food Safety Policy

Impact on animal genetic resources management

Minimal

Future needs

Nil

### 2. Production and marketing of organic products

Legislation

No

Policy

No

Details of the measure(s)

Nil

Impact on animal genetic resources management

Nil

Future needs

Nil

### 3. Production and marketing of products sold under protected designations of origin or similar labels

Legislation

No

Policy

No

Details of the measure(s)

Nil

Impact on animal genetic resources management

Nil

Future needs

Nil

**4. Production and marketing of products sold under labels indicating adherence to particular animal welfare-related standards**

*Note: For example, rules relating to the marketing of products as “free range” or under similar designations. Basic animal welfare legislation (i.e. not specifically related to marketing) is covered in Section 3.*

Legislation

Policy

Details of the measure(s)

Legislation being drafted by the Ministry of Agriculture & Agro-based Industry (under Department of Veterinary Services).

Impact on animal genetic resources management

Nil

Future needs

Nil

**5. Safety of food products from animals**

*Note: If relevant, include measures related to the marketing of products derived from genetically modified organisms.*

Legislation

Policy

Details of the measure(s)

Governed by Malaysian Food Act, 1983; National Food Safety Policy

Impact on animal genetic resources management

Minimal

Future needs

Nil

**6. Traceability of animal-origin products**

*Note: Sections 1 and 3 include questions on animal identification as it relates to breeding and to animal health. If relevant, please use cross-references to indicate that a given law or policy affects more than one field of action.*

Legislation

Policy

Details of the measure(s)

Nil

Impact on animal genetic resources management

Nil

Future needs

Discussions leading to legislation and enforcement of traceability.

### SECTION 3: ANIMAL HEALTH AND WELFARE

This section targets information on legislation and policies addressing animal health and animal welfare. While some policies and legislation in these fields may include specific references to animal genetic resources, it is likely that many will not. The latter may, nonetheless, have indirect effects on animal genetic resources and their management. Animal genetic resources and their management can be affected both by the direct effects of animal diseases and by the effects of measures taken to control animal diseases. For example, a disease epidemic may threaten the existence of at-risk breeds, particularly if their populations are concentrated geographically. Animal diseases, as influenced by the presence or absence of effective animal health services, can also influence the type of animal genetic resources that can be kept in particular locations, influence breeding objectives and/or affect the economic sustainability of livestock-keeping livelihoods. Compulsory culling measures used to control disease epidemics may pose a threat to geographically concentrated breed populations. Legal restrictions on the import of genetic material because of zoonosanitary reasons may affect breeders' access to genetic resources. Legal restrictions on livestock movements, restrictions on particular husbandry practices, or onerous requirements for animal health-related actions on the part of livestock keepers (or in the food processing and marketing chain), may inhibit the keeping of animal genetic resources associated with the production systems targeted. Zoonosanitary legislation related to the use of semen, embryos and other genetic materials may have implications for cryoconservation programmes. Legal and policy frameworks related to animal welfare might promote or inhibit the keeping of animals in particular production systems or the use of animals to provide specific products or services. In turn, these developments might promote or inhibit the continued use of the animal genetic resources associated with the respective production systems, products or services.

#### 1. Delivery of animal health services and control of animal diseases

Legislation  Policy

Details of the measure(s)

Animals Act, 1953 and its current revisions.

Impact on animal genetic resources management

Protection of livestock species.

Future needs

Continuous revision of legislation.

#### Do these measures include provisions specifically related to:

##### 1.1 Animal identification

*Note: Sections 1 and 2 include questions on animal identification as it relates to breeding and on traceability. If relevant, please use cross-references to indicate that a given law or policy affects more than one field of action.*

Legislation  Policy

Details of the measure(s)

Nil

Impact on animal genetic resources management

Nil

Future needs

Nil

##### 1.2 Control of the import of animal genetic resources (live breeding animals and/or germplasm) for zoonosanitary reasons

Legislation

Details of the measure(s)

Provisions for quarantine and disease testing.

Impact on animal genetic resources management

Protection of livestock genetic resources.

Future needs

Nil

**1.3 Control of the export of animal genetic resources (live breeding animals and/or germplasm) for zoosanitary reasons**

Legislation

Details of the measure(s)

Impact on animal genetic resources management

Future needs

**1.4 Zoosanitary rules related to the use of reproductive technologies**

Legislation

Details of the measure(s)

Impact on animal genetic resources management

Future needs

**1.5 Control of livestock movements (within the country) for zoosanitary reasons**

Legislation

Details of the measure(s)

Impact on animal genetic resources management

Future needs

**1.6 Restrictions or compulsory actions related to husbandry practices (for zoosanitary reasons)**

Legislation

Details of the measure(s)

Impact on animal genetic resources management

Future needs

**1.7 Compulsory culling in the event of outbreaks of specific diseases**

Legislation

**If legislation is in place or under development, does/will it include provisions to protect at-risk animal genetic resources from the effects of culling programmes?**

Details of the measure(s)



Impact on animal genetic resources management

Nil

Future needs

Nil

## 2. Animal welfare

Legislation

Policy

Details of the measure(s)

Animal Welfare Act under development. Presently undergoing public consultation.

Impact on animal genetic resources management

Nil

Future needs

Nil

## SECTION 4: AGRICULTURE, LAND USE AND NATURAL RESOURCES MANAGEMENT

This section targets information on legislation and policies that address the overall management of the production systems, ecosystems and environments within which animal genetic resources are used and developed. The questions address the following main topics:

- general frameworks or strategies for rural development;
- agriculture, land use and natural resources management;
- management of biodiversity;
- other aspects of environmental protection;
- overall livestock-sector development;
- management of rangelands and other grazing lands;
- establishment of livestock farms or holdings
- establishment and operation of civil society organizations in the livestock sector
- participation of livestock keepers in decision-making in livestock-sector development; and
- prevention, preparedness and response to natural or human-induced disasters

While some policies and legislation in these fields may include specific references to animal genetic resources, it is likely that many will not. The latter may, nonetheless, have indirect effects on animal genetic resources and their management. For example, policies and legislation that promote or constrain the keeping of livestock in particular production systems, for particular purposes or in particular geographical areas may promote or discourage the use of the animal genetic resources associated with these systems/uses/locations (hence possibly affecting their risk status), lead to the establishment of breeding objectives targeting the development of animals suitable for the favoured systems/uses/locations or lead to the import of genetic resources suitable for these systems/uses/locations.

### 1. General framework or strategy for sustainable agriculture, land use and natural-resources management

*Note: This question relates to broad strategic-level instruments such as national agricultural or rural development policies, strategies or laws. Instruments related to specific aspects of agricultural and rural development should be described under other questions as and where relevant.*

Legislation

Policy

Details of the measure(s)

National Agro-Food Policy 2011 - 2020

Impact on animal genetic resources management

Sustainability of livestock breeds. Better utilization of livestock genetic resources.

Future needs

Financial inputs.

### 2. Management of biodiversity

*Note: Please use this question to provide information on the general framework for managing all aspects of the country's biodiversity (e.g. instruments related to the designation and management of protected areas). Include, for example, information on whether animal genetic resources issues are included in your country's National Biodiversity Strategy and Action Plan and on any provisions addressing potential conflicts, or perceived conflicts, between the management of animal genetic resources and the management of other elements of biodiversity. Specific animal genetic-resources-related instruments (e.g. National Strategy and Action Plans for Animal Genetic Resources) should be reported in Section 1 (Question 1).*

Legislation  Policy

Details of the measure(s)

Malaysia's National Strategies and Action Plans for Agricultural Biodiversity Conservation and Sustainable Utilization (NSAP 2010) - Strategies jointly addressing plant, animal, arthropod and microbial genetic resources.

Impact on animal genetic resources management

Collaboration between sectors responsible for various genetic resources.

Future needs

Continued cooperation between sectors.

### 3. Environmental protection

*Note: Instruments specifically targeting the management of biodiversity are covered under Question 2. Please use this question to provide information on instruments addressing other environmental issues (e.g. addressing pollution of land and water, deforestation, climate change, water use or flood protection). If an instrument addresses both biodiversity and other aspects of environmental protection, please indicate this using a cross-reference to your answer to Question 2.*

Legislation  Policy

Details of the measure(s)

Malaysia's Environmental Quality Act 2012

Impact on animal genetic resources management

Positive to protect genetic resources.

Future needs

Nil

### 4. Overall development of the livestock sector

*Note: This question relates to broad strategic-level instruments addressing the livestock sector as a whole, such as national livestock development strategies or laws. Instruments related to specific aspects of livestock development should be described under other questions as and where relevant.*

Legislation  Policy

**If provisions are in place or under development do/will they include:**

#### Particular provisions aimed at supporting livestock keeping in harsh production environments

*Note: Please consider direct and indirect forms of support (e.g. grants or subsidies, favourable access to credit or livestock services, facilitation of market access).*

Legislation  Policy

#### Particular provisions aimed at supporting large-scale, high external input or export-oriented production systems or supporting management practices associated with such systems

*Note: Please consider direct and indirect forms of support (e.g. grants or subsidies, subsidized inputs, favourable access to credit or livestock services, support for infrastructure development or mechanization).*

Legislation  Policy

Details of the measure(s)

Nil

Impact on animal genetic resources management

Nil

Future needs

Nil

### 5. Management of and access to rangelands or other grazing lands

Legislation  Policy

Details of the measure(s)

Nil

Impact on animal genetic resources management

Nil

Future needs

Nil

#### 6. Establishment of livestock farms or holdings

*Note: This question relates to planning rules related to the size, location, ownership, registration, etc. of livestock farms or holdings.*

Legislation

No

Policy

Yes

Details of the measure(s)

Initiatives to e-register farms and their location.

Impact on animal genetic resources management

Minimal

Future needs

Nil

#### 7. Establishment and operation of civil society organizations in the livestock sector

*Note: Instruments specifically related to organizations focused on breeding (genetic improvement) activities are covered in Section 1 (Question 5.2). Please use the present question to provide information on instruments of a more general nature (e.g. related to the operation of cooperative societies or community organizations).*

Legislation

Yes

Policy

No

Details of the measure(s)

Societies Act, 1966

Impact on animal genetic resources management

So far minimal impact.

Future needs

Need to establish more breed societies.

#### 8. Participation of livestock keepers in decision-making related to the development of the livestock sector

Legislation

No

Policy

No

Details of the measure(s)

Nil

Impact on animal genetic resources management

Nil

Future needs

Nil

#### 9. Prevention, preparedness and response to natural or human-induced disasters

Legislation

Yes

Policy

Yes

**If instruments are place or under development, do/will they include any provisions specifically targeting:**

#### Animal genetic resources

*Note: For example, measures targeting the protection of at-risk breeds.*

Legislation

No

Policy

No

#### Livestock in general

Legislation

Policy

Details of the measure(s)

Animals Act, 1953

Impact on animal genetic resources management

Minimal

Future needs

Nil

### **SECTION 5: ADDITIONAL INFORMATION**

Please provide information on any aspects of your country's legal and policy framework that affect animal genetic resources and their management but are not covered by any of the questions above.

No further comments.

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