

**PREVENTION OF CRUELTY TO ANIMALS (AMENDMENT) ACT.**

**New South Wales**



ANNO SEXTO DECIMO

**ELIZABETHÆ II REGINÆ**

\*\*\*\*\*

**Act No. 91, 1967.**

An Act to make further provisions relating to the prevention of cruelty to animals; to amend the Prevention of Cruelty to Animals Act, 1901-1965, and the Police Offences Act, 1901-1967; and for purposes connected therewith. [Assented to, 18th December, 1967.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows : —

Short title and citation. **1.** (1) This Act may be cited as the "Prevention of Cruelty to Animals (Amendment) Act, 1967".

(2)

*Prevention of Cruelty to Animals (Amendment).*

(2) The Prevention of Cruelty to Animals Act, 1901, No. 91, 1967 as amended by subsequent Acts and by this Act, may be cited as the Prevention of Cruelty to Animals Act, 1901–1967.

2. The Prevention of Cruelty to Animals Act, 1901–1965, is amended— Amendment  
of Act No.  
64, 1901.

(a) (i) by inserting next after the definition of “Captive animal” in section three the following new definition :— Sec. 3.  
(Interpre-  
tation.)

“Confine” includes restrain by any means, and derivatives thereof have corresponding meanings.

(ii) by inserting in the definition of “Officer” in the same section after the words “New South Wales,” the words “or of any other association, organisation, society or body which has as one of its objects the promotion of the welfare of or the prevention of cruelty to animals and which is registered as a charity under the Charitable Collections Act, 1934, as amended by subsequent Acts,”;

(b) (i) by omitting from paragraph (h) of subsection one of section four the word “dog” and by inserting in lieu thereof the words “animal, other than an animal usually kept or confined in a cage or other receptacle, which is”;

(ii) by inserting in paragraph (m) of the same subsection after the words “captive animal” where secondly occurring the words “or, with the intention of destroying or injuring any domestic or captive animal, throws, casts, drops or lays any poisonous or injurious drug or poisonous or injurious substance on or in any street or public place or any place adjacent thereto or on any land or premises not in his own actual occupation”;

(iii)

*Prevention of Cruelty to Animals (Amendment).*

No. 91, 1967

(iii) by inserting in paragraph (n) of the same subsection after the word "alive" the words "or having acquired such an animal fails to have such animal promptly slaughtered";

(iv) by omitting paragraph (r) of the same subsection and by inserting in lieu thereof the following paragraph :—

(r) except as provided in section 7A of this Act, docks or causes to be docked the tail of any horse, or crops or causes to be cropped the ears of any dog, or operates on any dog to prevent such dog from barking; or;

(v) by inserting at the end of paragraph (s) of the same subsection the following words and new paragraph :—

or keeps or has in his custody, possession, care or control at any place used for the training or racing of greyhounds any animal for the purpose of using it in connection with such training or racing, or keeps or has in his custody, possession, care or control at any other place any animal for the purpose of the training or racing of greyhounds; or

(t) abandons any domestic or captive animal;

Sec. 4A.  
(Aggravated  
cruelty.)

(c) by inserting at the end of section 4A the following new subsection :—

(4) Where a person is convicted of the offence of aggravated cruelty the court may, in addition to any other punishment, order that such person be deprived of the ownership or charge of the animal in respect of which the offence has been committed and of any other animal, and may make such order as to the disposal of any animal owned by him or of

which

*Prevention of Cruelty to Animals (Amendment).*

which he is in charge as it thinks fit in the circumstances, and may further order that such person shall not become the owner or person in charge of any animal within the period specified in the order and that in default of compliance with an order under this section such person shall be liable to a penalty of an amount, not exceeding five hundred dollars, specified therein. No. 91, 1967

- (d) by inserting at the end of section 7A the following word and new paragraph :— Sec. 7A.  
(Exemptions.)

; or

- (h) any operation of the nature specified in paragraph (r) of subsection one of section four of this Act where such operation is performed for the treatment of disease of or injury to an animal by a veterinary surgeon registered under the Veterinary Surgeons Act, 1923, as amended by subsequent Acts;

- (e) by inserting at the end of subsection one of section 7c the following new paragraph :— Sec. 7c.  
(Regulations.)

- (h) prescribing minimum sizes of cages or other receptacles in which any animal or species of animal may be kept in captivity.

3. The Prevention of Cruelty to Animals Act, 1901— Further amendment of Act No. 64, 1901.  
1965, is further amended—

- (a) (i) by omitting from subsection one of section four the words “one hundred dollars” and by inserting in lieu thereof the words “four hundred dollars”; Sec. 4.  
(Ill-treating animals.)

- (ii) by omitting from paragraph (b) of subsection (1A) of the same section the words “one hundred dollars” and by inserting in lieu thereof the words “four hundred dollars”;

(iii)

*Prevention of Cruelty to Animals (Amendment).*No. 91, 1967

(iii) by omitting from subsection two of the same section the words "forty dollars" and by inserting in lieu thereof the words "two hundred dollars";

Sec. 5.  
(Obstructing constable.)

(b) by omitting from section five the words "twenty dollars" and by inserting in lieu thereof the words "two hundred dollars";

Sec. 6.  
(Offences committed by drivers or conductors of hackney carriages, etc.)

(c) by omitting from subsection four of section six the words "four dollars" and by inserting in lieu thereof the words "twenty dollars";

Sec. 7B.  
(Registration and inspection of animals employed at mines.)

(d) by omitting from subsection five of section 7B the words "forty dollars" and by inserting in lieu thereof the words "two hundred dollars";

Sec. 7c.  
(Regulations.)

(e) by omitting from subsection two of section 7c the words "forty dollars" and by inserting in lieu thereof the words "two hundred dollars";

Sec. 12c.  
(Owner to produce animal if so required.)

(f) by omitting from subsection two of section 12c the words "twenty dollars" and by inserting in lieu thereof the words "one hundred dollars".

Further amendment of Act No. 64, 1901.

4. The Prevention of Cruelty to Animals Act, 1901-1965, is further amended—

Sec. 7.  
(Compensation to be paid by offender for injury caused to animal, person, or property.)

(a) by omitting from subsection one of section seven the words "twenty dollars" and by inserting in lieu thereof the words "three hundred dollars";

(b)

*Prevention of Cruelty to Animals (Amendment).*

(b) by omitting from subsection three of section 7c the words "police or";

No. 91, 1967  
Sec. 7c.  
(Regulations.)

(c) by omitting from section eleven the words "police or".

Sec. 11.  
(Justices may allow certain premises to be inspected.)

5. (1) The Police Offences Act, 1901, as amended by subsequent Acts, is amended by inserting in subsection (1A) of section one hundred and one after the words "New South Wales" where firstly occurring the words ", or of any other association, organisation, society or body which has as one of its objects the promotion of the welfare of or the prevention of cruelty to animals and which is registered as a charity under the Charitable Collections Act, 1934, as amended by subsequent Acts".

Amendment of Act No. 5, 1901.  
Sec. 101.  
(Special constables.)

(2) The Police Offences Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Police Offences Act, 1901-1967.

---

STAMP