

**PREVENTION OF CRUELTY TO ANIMALS (FURTHER
AMENDMENT) ACT 1985 No. 130**

New South Wales



ANNO TRICESIMO QUARTO

ELIZABETHÆ II REGINÆ

* * * * *

Act No. 130, 1985

An Act to amend the Prevention of Cruelty to Animals Act 1979 in relation to the destruction of severely injured or diseased animals, and for other purposes. [Assented to, 25th November, 1985.]

Prevention of Cruelty to Animals (Further Amendment) 1985

BE 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

1. This Act may be cited as the "Prevention of Cruelty to Animals (Further Amendment) Act 1985".

Amendment of Act No. 200, 1979

2. The Prevention of Cruelty to Animals Act 1979 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE PREVENTION OF CRUELTY TO
ANIMALS ACT 1979

(1) Section 26A—

After section 26, insert:

Powers of veterinary surgeons to destroy animals

26A. (1) Where, in the opinion of a veterinary surgeon—

- (a) an animal is so severely injured, so diseased or in such a physical condition that it is cruel to keep it alive; and
- (b) the animal is not about to be destroyed, or is about to be destroyed in a manner that will inflict unnecessary pain upon the animal,

the veterinary surgeon may—

- (c) take possession of the animal;
- (d) remove the animal to such place as the veterinary surgeon thinks fit; and
- (e) destroy the animal, or cause it to be destroyed, in a manner that causes it to die quickly and without unnecessary pain.

SCHEDULE 1—*continued*

AMENDMENTS TO THE PREVENTION OF CRUELTY TO
ANIMALS ACT 1979—*continued*

(2) The reasonable costs incurred by a veterinary surgeon in the exercise of the powers conferred upon the veterinary surgeon by subsection (1) in respect of an animal may be recovered from the owner of the animal as a debt in a court of competent jurisdiction by the veterinary surgeon.

(2) Section 32A—

After section 32, insert:

Compensation not recoverable

32A. Compensation is not recoverable against any person in respect of the destruction of an animal in accordance with section 26 (4), 26A (1) or 30 (2).