



New South Wales

Prevention of Cruelty to Animals Amendment (Tail Docking) Act 2004 No 24

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New South Wales

Prevention of Cruelty to Animals Amendment (Tail Docking) Act 2004 No 24

Act No 24, 2004

An Act to amend the *Prevention of Cruelty to Animals Act 1979* with respect to the tail docking of dogs. [Assented to 16 April 2004]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Prevention of Cruelty to Animals Amendment (Tail Docking) Act 2004*.

2 Commencement

This Act commences on a day to be appointed by proclamation.

3 Amendment of Prevention of Cruelty to Animals Act 1979 No 200

The *Prevention of Cruelty to Animals Act 1979* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 12 Certain operations not to be performed on animals

Omit section 12 (2) (a1).

[2] Section 12 (2) (b) (i)

Omit “, female calf or dog”. Insert instead “or female calf”.

[3] Section 12 (2A)

Insert after section 12 (2):

- (2A) A person is not guilty of an offence against this section if the court is satisfied that the procedure comprising the alleged offence was the docking of the tail of a dog, was performed by a veterinary surgeon and was in the interests of the dog’s welfare.

[4] Section 24 Certain defences

Insert after section 24 (2):

- (3) Subsection (1) (d) does not apply to a person accused of an offence against section 12 (1) if the alleged offence was the docking of the tail of a dog.

[5] Schedule 2 Savings and transitional provisions

Insert at the end of clause 1 (1):

*Prevention of Cruelty to Animals Amendment (Tail Docking)
Act 2004*

[Second reading speech made in—

Legislative Council on 10 March 2004

Legislative Assembly on 6 April 2004]

BY AUTHORITY