

Passed by both Houses



New South Wales

# Prevention of Cruelty to Animals Amendment Bill 2009

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*I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.*

*Clerk of the Legislative Assembly.  
Legislative Assembly,  
Sydney, , 2009*



New South Wales

## **Prevention of Cruelty to Animals Amendment Bill 2009**

Act No , 2009

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An Act to amend the *Prevention of Cruelty to Animals Act 1979* to make further provision for the prevention of cruelty to animals.

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*I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.*

*Assistant Speaker of the Legislative Assembly.*

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**The Legislature of New South Wales enacts:**

**1    Name of Act**

This Act is the *Prevention of Cruelty to Animals Amendment Act 2009*.

**2    Commencement**

This Act commences on the date of assent to this Act.

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## **Schedule 1      Amendment of Prevention of Cruelty to Animals Act 1979 No 200**

### **[1]      Section 24N**

Omit the section. Insert instead:

#### **24N      Notices in relation to animals**

- (1) If an inspector is satisfied on reasonable grounds that a person is contravening a provision of this Act or the regulations in relation to an animal, the inspector may give the person a notice in writing requiring the person to take such specified action in relation to the animal as the inspector considers necessary to avoid any further contravention.
- (2) A person who, without reasonable excuse, fails to comply with a notice is guilty of an offence.  
Maximum penalty: 25 penalty units.
- (3) A person cannot be convicted for both an offence against this section and another offence under this Act or the regulations in respect of the same act or omission.

### **[2]      Section 35 Regulations**

Omit section 35 (3). Insert instead:

- (3) A regulation may create an offence punishable by a penalty not exceeding the relevant maximum amount, being:
  - (a) in the case of an offence relating to animal trades or the confinement or use of laying fowl (domesticated chickens) for commercial egg production—200 penalty units for an offence committed by a corporation and 50 penalty units for an offence committed by an individual, or
  - (b) in any other case—25 penalty units.

Prevention of Cruelty to Animals Amendment Bill 2009

Schedule 1      Amendment of Prevention of Cruelty to Animals Act 1979 No 200

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**[3]    Schedule 2 Savings and transitional provisions**

Insert at the end of clause 1 (1):

*Prevention of Cruelty to Animals Amendment Act 2009*