



New South Wales

Prevention of Cruelty to Animals Amendment (Stock Animals) Bill 2015

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to introduce the following requirements for the purposes of ensuring the humane treatment of stock animals:

- (a) the proprietor of an abattoir or intensive livestock keeping facility is to install and maintain a fire sprinkler system in the abattoir or facility,
- (b) the proprietor of an intensive livestock keeping facility is to install and maintain an alarm system in the facility,
- (c) the proprietor of an abattoir or intensive livestock keeping facility is to ensure a video and audio recording of all operations relating to the keeping, movement, handling and slaughter of animals at the abattoir or facility is made and retained for a certain period.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 gives effect to the changes described in the Overview.



New South Wales

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New South Wales

Prevention of Cruelty to Animals Amendment (Stock Animals) Bill 2015

No. , 2015

A Bill for

An Act to amend the *Prevention of Cruelty to Animals Act 1979* to impose certain requirements relating to the operation of abattoirs and intensive livestock keeping facilities for the purposes of ensuring the humane treatment of stock animals.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Prevention of Cruelty to Animals Amendment (Stock Animals) Act 2015*.

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
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Part 2C		3
Insert after Part 2B:		4
Part 2C	Special provisions relating to abattoirs and other facilities	5
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24W	Definitions	7
	In this Part:	8
	abattoir means premises used for commercial purposes for or in connection with the slaughtering of stock animals for human consumption, and includes:	9
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	(a) buildings used in connection with the slaughtering, handling, drafting or keeping of stock animals for human consumption at any premises so used, and	11
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	(b) holding yards and the like.	14
	alarm system means a system designed to automatically detect any defect or malfunction in any feed, water or cooling system.	15
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	fire sprinkler system means a system designed to automatically control the growth and spread of fire that may include components such as sprinklers, valves, pipework, pumps, boosters and water supplies.	17
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	intensive livestock keeping facility means any premises where stock animals are kept or bred for commercial purposes.	20
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	proprietor of an abattoir or intensive livestock keeping facility means:	22
	(a) the person carrying on the business of the abattoir or intensive livestock keeping facility, or	23
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	(b) if that person cannot be identified, the person in charge of the abattoir or intensive livestock keeping facility.	25
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24X	Requirement to install and maintain fire sprinkler systems in abattoirs and intensive livestock keeping facilities	27
		28
	(1) The proprietor of an abattoir or intensive livestock keeping facility must ensure a fire sprinkler system is installed and maintained in the abattoir or facility.	29
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	Maximum penalty: 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.	32
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	(2) The Secretary may publish guidelines in the Gazette relating to the installation and operation of fire sprinkler systems under this section, including specifications for equipment and the number of sprinklers required.	35
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	(3) A proprietor of an abattoir or intensive livestock keeping facility who complies with all applicable guidelines published under subsection (2) is taken to have complied with subsection (1).	38
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	(4) This section, as inserted by the <i>Prevention of Cruelty to Animals Amendment (Stock Animals) Act 2015</i> , does not apply in relation to the proprietor of an abattoir or intensive livestock keeping facility until 6 months after the commencement of that Act.	41
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24Y	Requirement to install and maintain alarm systems in intensive livestock keeping facilities	1 2
(1)	The proprietor of an intensive livestock keeping facility must ensure an alarm system is installed and maintained in the facility. Maximum penalty: 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.	3 4 5 6 7
(2)	The Secretary may publish guidelines in the Gazette relating to the installation and operation of alarm systems under this section, including specifications for equipment.	8 9 10
(3)	A proprietor of an intensive livestock keeping facility who complies with all applicable guidelines published under subsection (2) is taken to have complied with subsection (1).	11 12 13
(4)	This section, as inserted by the <i>Prevention of Cruelty to Animals Amendment (Stock Animals) Act 2015</i> , does not apply in relation to the proprietor of an intensive livestock keeping facility until 6 months after the commencement of that Act.	14 15 16 17
24Z	Operations to be recorded in abattoirs and intensive livestock keeping facilities	18 19
(1)	The proprietor of an abattoir or intensive livestock keeping facility must ensure a video and audio recording is made of all operations relating to the keeping, movement, handling and slaughter of animals at the abattoir or intensive livestock keeping facility.	20 21 22 23
(2)	The proprietor must ensure that the equipment used for the purpose of making a video recording under this section is, at all times, positioned to ensure an unobstructed view of the operations being recorded.	24 25 26
(3)	The proprietor of an abattoir or intensive livestock keeping facility must ensure that a recording made under this section is retained for a period of not less than 3 months after the date the recording is made. Maximum penalty (subsections (1)–(3)): 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.	27 28 29 30 31 32
(4)	The Secretary may publish guidelines in the Gazette relating to the making of recordings under this section, including specifications for equipment, the number of recording devices required and the resolution of images.	33 34 35
(5)	A proprietor of an abattoir or intensive livestock keeping facility who complies with all applicable guidelines published under subsection (4) is taken to have complied with subsections (1) and (2).	36 37 38
(6)	A recording, or a copy of a recording, made under this section is admissible in evidence for prosecution of an offence under this Act or any other law.	39 40
(7)	Section 7 of the <i>Surveillance Devices Act 2007</i> does not prohibit the installation, use or maintenance of a listening device (within the meaning of that Act) for the purpose of making a recording required under this section.	41 42 43
(8)	This section, as inserted by the <i>Prevention of Cruelty to Animals Amendment (Stock Animals) Act 2015</i> , does not apply in relation to the proprietor of an abattoir or intensive livestock keeping facility until 6 months after the commencement of that Act.	44 45 46 47

24ZA	Inspection etc of recordings	1
(1)	An officer may, at any time within 3 months after the making of a recording under section 24Z, require the proprietor of an abattoir or intensive livestock keeping facility to provide the officer with access to the recording.	2 3 4
(2)	A person must not fail to comply with a requirement of an officer under subsection (1). Maximum penalty: 25 penalty units.	5 6 7
(3)	The officer may do one or more of the following:	8
(a)	examine, inspect or listen to the recording,	9
(b)	make a copy of the recording,	10
(c)	examine the equipment with which the recording was made.	11