

Prevention of Cruelty to Animals Amendment (Prosecutions) Act 2007 No 81

[2007-81]



New South Wales

Status Information

Currency of version

Repealed version for 7 December 2007 to 1 January 2008 (accessed 17 July 2024 at 22:26)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by sec 4 (1) of this Act with effect from 2.1.2008.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 2 January 2008

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Prevention of Cruelty to Animals Amendment (Prosecutions) Act 2007 No 81



New South Wales

An Act to amend the *Prevention of Cruelty to Animals Act 1979* in relation to the persons and organisations authorised to institute proceedings under that Act.

1 Name of Act

This Act is the *Prevention of Cruelty to Animals Amendment (Prosecutions) Act 2007*.

2 Commencement

This Act commences on 1 January 2008.

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.

4 Repeal of Act

(1) This Act is repealed on the day following the day on which this Act commences.

(2) The repeal of this Act does not, because of the operation of section 30 of the *Interpretation Act 1987*, affect any amendment made by this Act.

Schedule 1 Amendments

(Section 3)

[1] Section 34AA

Insert after section 34:

34AA Authority to prosecute

(1) Proceedings for an offence against this Act or the regulations may be instituted only by:

(a) an approved charitable organisation, or

- (b) an inspector within the meaning of Division 2 of Part 2A, other than a police officer, or
- (c) a police officer, or
- (d) the Minister or the Director-General of the Department of Primary Industries, or
- (e) a person with the written consent of the Minister or that Director-General, or
- (f) any other person or body prescribed by the regulations for the purpose of this section.

- (2) In proceedings for an offence against this Act or the regulations, a consent to institute the proceedings, purporting to have been signed by the Minister or the Director-General of the Department of Primary Industries, is evidence of that consent without proof of the signature of the Minister or Director-General.

[2] Schedule 2 Savings and transitional provisions

Insert at the end of clause 1 (1):

Prevention of Cruelty to Animals Amendment (Prosecutions) Act 2007

[3] Schedule 2, Part 5

Insert after Part 4:

Part 5 Provision consequent on enactment of [Prevention of Cruelty to Animals Amendment \(Prosecutions\) Act 2007](#)

8 Proceedings for offences

Section 34AA does not apply to offences committed before the commencement of that section.