

2005

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Bill Stefaniak)

Animal Legislation (Penalties) Amendment Bill 2005

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Animal Legislation (Penalties) Amendment Bill 2005

A Bill for

An Act to amend the *Animal Welfare Act 1992* and the *Animal Diseases Act 1993*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Animal Legislation (Penalties) Amendment Act 2005*.

4 **2 Commencement**

5 This Act commences on the day after its notification day.

6 *Note 1* The naming and commencement provisions automatically commence on
7 the notification day (see Legislation Act, s 75 (1)).

8 *Note 2* The *Animal Welfare Act 1992*, section 9A is amended in part 2. Section
9 9A has not commenced. The amendment of s 9A does not commence
10 until s 9A commences (see the Legislation Act, s 79A (Commencement
11 of amendment of uncommenced law)).

Part 2 Animal Welfare Act 1992

3 Legislation amended—pt 2

This part amends the *Animal Welfare Act 1992*.

4 Cruelty Section 7, penalty

substitute

Maximum penalty: 500 penalty units, imprisonment for 5 years or both.

5 Pain Section 8 (1) and (2), penalty

substitute

Maximum penalty: 500 penalty units, imprisonment for 5 years or both.

6 Confined animals Section 9 (1), penalty

substitute

Maximum penalty: 50 penalty units.

7 Section 9 (2), penalty

substitute

Maximum penalty: 500 penalty units, imprisonment for 5 years or both.

Section 8

- 1 **8 Battery hens**
2 **Section 9A, penalty**
- 3 *substitute*
- 4 Maximum penalty: 500 penalty units, imprisonment for 5 years or
5 both.
- 6 **9 Alleviation of pain**
7 **Section 10 (1), penalty**
- 8 *substitute*
- 9 Maximum penalty: 500 penalty units, imprisonment for 5 years or
10 both.
- 11 **10 Administering poison**
12 **Section 12 (1), penalty**
- 13 *substitute*
- 14 Maximum penalty: 500 penalty units, imprisonment for 5 years or
15 both.
- 16 **11 Laying poison**
17 **Section 12A (1), penalty**
- 18 *substitute*
- 19 Maximum penalty: 500 penalty units, imprisonment for 5 years or
20 both.
- 21 **12 Section 12A (2), penalty**
- 22 *substitute*
- 23 Maximum penalty: 200 penalty units, imprisonment for 2 years or
24 both.

1	13	Section 12A (3), penalty
2		<i>substitute</i>
3		Maximum penalty: 50 penalty units.
4	14	Electrical devices
5		Section 13 (1), penalty
6		<i>substitute</i>
7		Maximum penalty: 500 penalty units, imprisonment for 5 years or
8		both.
9	15	Spurs
10		Section 14 (1), penalty
11		<i>substitute</i>
12		Maximum penalty: 500 penalty units, imprisonment for 5 years or
13		both.
14	16	Section 14 (2), penalty
15		<i>substitute</i>
16		Maximum penalty: 20 penalty units.
17	17	Conveyance and containment
18		Section 15, penalty
19		<i>substitute</i>
20		Maximum penalty: 500 penalty units, imprisonment for 5 years or
21		both.

- 1 **18 Working, riding and driving unfit animals**
2 **Section 16, penalty**
- 3 *substitute*
- 4 Maximum penalty: 500 penalty units, imprisonment for 5 years or
5 both.
- 6 **19 Matches, competitions and baiting**
7 **Section 17 (1) and (2), penalty**
- 8 *substitute*
- 9 Maximum penalty: 500 penalty units, imprisonment for 5 years or
10 both.
- 11 **20 Medical and surgical procedures—people other than**
12 **veterinary surgeons**
13 **Section 19 (1), penalty**
- 14 *substitute*
- 15 Maximum penalty: 500 penalty units, imprisonment for 5 years or
16 both.

Part 3 Animal Diseases Act 1993

21 Legislation amended—pt 3

This part amends the *Animal Diseases Act 1993*.

22 Spreading disease Section 54 (1), penalty

substitute

Maximum penalty: 200 penalty units, imprisonment for 2 years or both.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2005.

2 Notification

Notified under the Legislation Act on 2005.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
