



ANNO DECIMO SEPTIMO

GEORGII V REGIS.

A.D. 1926.

No. 1747.

An Act to amend the Prevention of Cruelty to Animals Acts, 1908 to 1921, and for other purposes.

[Assented to, December 2nd, 1926.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Prevention of Cruelty to Animals Act Further Amendment Act, 1926." Short titles.

(2) The Prevention of Cruelty to Animals Acts, 1908 to 1921, and this Act may be cited together as the "Prevention of Cruelty to Animals Acts, 1908 to 1926."

(3) The Prevention of Cruelty to Animals Act, 1908, is herein- No. 956 of 1908. after referred to as "the principal Act."

2. This Act is incorporated with the other Acts mentioned in Incorporation. section 1 of this Act, and those Acts and this Act shall be read as one Act.

3. Subsection (1) of section 4 of the principal Act is amended— Amendment of principal Act, s. 4— Cruelty to animals.

(a) by inserting after the word "treatment" in paragraph (h) thereof the words "or which is caused unnecessary pain by being ridden, driven, used, conveyed, carried, or packed"; and

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(b) by inserting after paragraph (h) thereof the following new paragraphs—

(h)¹ Neglects, as the owner or person in charge, to reasonably exercise, or cause to be exercised, at least once a day, any dog habitually chained up; or

(h)² Conveys, carries, or packs, or causes to be conveyed, carried, or packed, any poultry in any coop or receptacle together with any other poultry which is of different species.

(c) by striking out the words “Ten Pounds” in the last line thereof, and by inserting in lieu thereof the words “Twenty-five Pounds or to imprisonment for any term not exceeding six months”.

Amendment of
principal Act, s. 8—
Inspection of
sale-yards.

4. Section 8 of the principal Act is amended—

(a) by inserting after the word “constable” in the first line thereof the words “or any inspector appointed by the Governor for the purpose”; and

(b) by inserting after the word “constable” in the fourth line thereof the words “or inspector”.

Amendment of
principal Act, s. 13—
Destruction of
injured animals.

5. Subsection (2) of section 13 of the principal Act is amended so as to read as follows:—

(2) Whenever, in the opinion of a constable, any animal is so weak, disabled, or diseased, or as the result of an accident, or from any other cause, sustains such injury that the animal ought to be killed, the constable may, with the consent of the owner of the animal, or, if the owner is not in the immediate vicinity of the animal, without the said consent, immediately kill the animal. If the owner is in the immediate vicinity of the animal and refuses to consent to the killing of the animal, the constable may, nevertheless, upon an order of a Justice, kill the animal. No compensation shall be recoverable against any Justice or constable in respect of any killing pursuant to this subsection.

Amendment of
principal Act—

6. The principal Act is amended by inserting after section 18 thereof the following new sections:—

Power for Court to
deprive person con-
victed under Act of
ownership of animal.
W.A., 21, 1920, s. 21.

18A. If the owner of any animal shall be guilty of an offence under this Act in respect of the said animal, the Court, upon his conviction thereof, may, if the Court thinks fit, in addition to any other punishment, deprive the said person of the ownership of the animal, and make such order as to the disposal of the animal as the Court thinks fit under the circumstances: Provided that no order shall be made under this section unless it is shown by evidence as to a previous conviction, or as to the character of the owner or otherwise, that the animal, if left with the owner, is likely to be exposed to cruelty.

18B. An

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18B. An auctioneer or other person who sells or offers for sale, and any person who buys or attempts to knowingly buy, except for the purpose of slaughter, any horse, mule, donkey, or other draught animal which is so old, or permanently diseased, or permanently disabled that it is unfit for work, shall be liable to a penalty of not less than Two Pounds nor more than Six Pounds.

Sale and purchase of decrepit animals.
W.A., 21. 1920, s. 22.

The production of a certificate from the buyer of any such animal given at the time of sale to the auctioneer or vendor that the animal is being purchased for immediate slaughter shall be a defence to any prosecution of an auctioneer or vendor under this section.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

TOM BRIDGES, Governor.