

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**AMENDMENT
ANIMAL WELFARE BILL 2000**

EXPLANATORY MEMORANDUM

Circulated with the authority of
Brendan Smyth MLA,
Minister for Urban Services

EXPLANATORY MEMORANDUM

Outline

The purpose of the Bill is to prevent neglect and cruelty to animals through promotion of animal welfare, the considerate treatment of animals, and the regulation of animal use for teaching, scientific and other purposes.

This Bill incorporates welfare measures consistent with the requirements of the ACT Urban Cat Management Strategy as well as issues contained within the Charter for Responsible Cat Ownership and the Charter for Responsible Dog Ownership. Amendments within this Animal Welfare Bill 2000 (the Bill) also reflect requirements in the Code of Practice for the Sale of Animals in the ACT.

The welfare reforms drafted within this Bill are based on advice received from the Animal Welfare Advisory Committee and appointed Animal Welfare Inspectors and Authorised Officers. A number of the technical amendments have been incorporated to take into account existing Government Policy as well as mirror current requirements enacted within NSW.

The policy and technical changes in the Bill bring it to the best practice standards for similar legislation in Australia.

Revenue/Cost Implications

There is no additional cost involved in the Bill as all infrastructure is in place under the existing regime.

Formal Clauses

Part 1- Preliminary:

Clauses 1, 2 and 3 are formal requirements. They deal with the short title of the Bill, commencement provisions and the Act that is amended.

Clause 4 expands certain definitions. For example, the current definition of "animal" is expanded to include a live cephalopod (squid, cuttlefish, and octopus) as well as live crustaceans intended for human consumption. The current definition of "poison" has been expanded to include the use of glass or any other thing that, if ingested, is likely to kill or injure an animal.

Clause 5 repeals the existing clause 12 of the Act and replaces it with revised provisions dealing with the offence of administering, or laying, a poison to an animal.

Clause 6 inserts a new provision requiring people to ensure that a dog is securely restrained or enclosed on the open back of a moving vehicle. The penalty for committing such an offence is 20 penalty units.