

Niue (Amendment - Animals) Act 1998

NIUE

NIUE (AMENDMENT - ANIMALS) ACT 1998

No. 232

Arrangement of provisions

1 Short title

2 Section 219 of the Niue Act 1966 repealed and replaced

3 Section 226 of the Niue Act 1966 repealed and replaced

AN ACT

to repeal and replace sections 219 and 226 of the Niue Act 1966

1 Short title

(1) This Act may be cited as the Niue (Amendment - Animals) Act 1998.

2 Section 219 of the Niue Act 1966 repealed and replaced

(1) Section 219 of the Niue Act 1966 is repealed and the following section substituted-

"219. Animal Trespass - (1) A person must not permit a horse, sheep, pig, goat, or cattle to wander or be at large in a public place or to trespass on land."

(2) A person who fails to comply with subsection (1) is guilty of an offence and is liable upon conviction to a fine not exceeding \$200 or for a second or subsequent offence to a fine not exceeding \$500.

3 Section 226 of the Niue Act 1966 repealed and replaced

(1) Section 226 of the Niue Act 1966 is repealed and the following section substituted-

"226. Cruelty to animals - (1) A person must not-

(a) cruelly beat, overdrive, overload, abuse, torture, or otherwise ill treat an animal, or

(b) being the owner or having the charge of an animal-

(i) omit to supply it with proper and sufficient food, water, or shelter; or

(ii) abandon the animal with the intention of relinquishing ownership or charge of it.

(2) A person who fails to comply with subsection (1) is guilty of an offence and is liable upon conviction to a fine not exceeding \$200 or for a second or subsequent offence to a fine not exceeding \$500.

(3) It is not a defence for a person charged with an offence under subsection (1)(b)(ii) for the person to prove that the animal to which the charge relates was abandoned on land in which that person had an interest.

(4) In this section "**animal**" means any beast or bird of any species whatever."

The Niue Assembly passed this Act on the 3rd day of June 1998.
