



PREVENTION OF CRUELTY TO ANIMALS ACT 1913

[Consolidated as at 31 May 1995
on the authority of the Administrator
and in accordance with
the *Enactments Reprinting Act 1980*]

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Prevention of Cruelty to Animals Act 1913

Short title

1. This Act may be cited as the *Prevention of Cruelty to Animals Act 1913*.

Interpretation

2. In this Act —

“Animal” means and includes every species of quadruped, and every species of bird, whether in a natural or a domestic state, and all other animals dependent upon man for their care or sustenance, or in a state of captivity.

“To ill-treat” includes to beat, overdrive, override, abuse, or torture, or to knowingly overload.

Ill treatment of animals

3. (1) Whosoever —

- (a) cruelly ill-treats or causes or procures to be cruelly ill-treated any animal; or
- (b) conveys or carries, or causes to be conveyed or carried, whether in or upon any vehicle or not, any animal in such a manner as to subject the said animal to unnecessary pain or suffering; or
- (c) after being duly notified, allows any animal to be for an undue length of time in a dying condition,

shall on conviction be liable to a penalty not exceeding 2 penalty units.

(2) In any prosecution under paragraph 3(1)(c) the averment of the prosecutor contained in the information shall be deemed to be proved in the absence of proof to the contrary.

Damage to animals, etc.

4. (1) Every person who by cruelly ill-treating any animal does damage or injury to such animal, or thereby causes damage or injury to be done to any person or property, shall, on conviction of such offence, pay to the owner of such animal (if the offender be not the owner thereof), or to the person who or whose property has been damaged or injured a sum of money not exceeding 20 fee units by way of compensation, to be ascertained and determined by the Court of Petty Sessions.

(2) The Court shall order the amount so ascertained and determined to be paid forthwith by the person convicted, to the person who or whose property has been damaged or injured.

(3) The payment of such compensation shall not prevent or in any manner affect any penalty to which such person or the owner of such animal may be liable in respect of the ill treating of the said animal.

(4) Nothing in this section shall prevent any civil proceeding against such offender or his employer, where proceedings under this section have not been taken to recover compensation for damage or injury as aforesaid.

Power to enter premises

5. Whenever it is by the oath of any credible person made to appear to the satisfaction of a Magistrate that an offence against this Act has been, is, or is about to be committed on or in certain premises, the Magistrate may, by writing under his hand, authorise such person or some constable or officer of police named therein to enter such premises and inspect any animal confined or kept there.

Obstruction

6. Whosoever unlawfully obstructs, hinders, molests, or assaults any constable or officer of police or other person in the exercise of any power or authority under or by virtue of this Act shall be liable to a penalty not exceeding 5 penalty units or to imprisonment for a term not exceeding one month.

Proceedings for offence

7. Proceedings for an offence against this Act shall be commenced within fourteen days after the commission of the offence.

NOTES

The *Prevention of Cruelty to Animals Act 1913* as shown in this consolidation comprises Enactment No. 22 of 1913 and amendments as indicated in the Tables below.

| Enactment | Number and year | Date of commencement | Application saving or transitional provision |
|---|------------------------|-----------------------------|---|
| <i>Prevention, Cruelty to Animals Law 1913</i> | 22, 1913 | 24.12.13 | |
| <i>Prevention, Cruelty to Animals Act 1921</i> | 5, 1921 | 29.12.21 | |
| <i>Administration Act 1936</i> | 14, 1936 | 16.12.36 | |
| <i>Ordinances Revision Act 1964</i> | 6, 1964 | 30.6.64 | |
| <i>Ordinances Revision (Decimal Currency) Act 1980</i> | 31, 1980 | 15.1.81 | |
| <i>Statute Law Revision (Penalties and Fees) Act 1985</i> | 9, 1985 | 13.5.85 | |

Table of Amendments

ad = added or am = amended rep = repealed rs = repealed and substituted
inserted

| Provisions affected | How affected |
|----------------------------|---|
| 1 | am 2, 1963; 6, 1964 |
| 2 | am 6, 1964 |
| 3 | am 5, 1921; 31, 1980; 9, 1985 |
| 4 | am 14, 1936; 6, 1964; 31, 1980; 9, 1985 |
| 5 | am 6, 1964 |
| 6 | am 6, 1964; 31, 1980; 9, 1985 |
| 7 | am 6, 1964 |

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