



New South Wales

Prevention of Cruelty to Animals Amendment (Battery Cage Prohibition) Bill 2023

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are to—

- (a) amend the *Prevention of Cruelty to Animals Act 1979 (the Act)* to—
 - (i) make it an offence to confine a laying hen in a cage, and
 - (ii) clarify that guidelines prescribed or adopted by regulations made under the Act have no effect to the extent of an inconsistency with the Act or the regulations, and
- (b) make consequential amendments to the *Prevention of Cruelty to Animals Regulation 2012*.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the first anniversary of the date of assent to the proposed Act.

Schedule 1 Amendment of Prevention of Cruelty to Animals Act 1979 No 200

Schedule 1[1] defines *laying hen*, for the Act, as a chicken kept for commercial egg production. **Schedule 1[5]** makes a consequential amendment.

Schedule 1[2] makes it an offence for a person to confine a laying hen in a cage. **Schedule 1[3]** excludes certain defences from being available to a person accused of the offence.

Schedule 1[4] makes clear that guidelines prescribed or adopted by the regulations under the Act, section 34A(1) have no effect to the extent the guidelines are inconsistent with a provision of the Act or the regulations.

Schedule 2 Amendment of Prevention of Cruelty to Animals Regulation 2012

Schedule 2 omits provisions that become obsolete as a result of the proposed amendments in Schedule 1 and makes other consequential amendments.