



New South Wales

# Prevention of Cruelty to Animals Amendment (Enforcement and Operational Powers) Bill 2026

## Explanatory note

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

## Overview of Bill

The object of this Bill is to amend the *Prevention of Cruelty to Animals Act 1979* (*the Act*) to—

- (a) update the structure of certain offences and penalties, and
- (b) increase the penalties for certain offences, and
- (c) insert new offences related to animal cruelty, and
- (d) amend compliance and regulatory provisions, and
- (e) make administrative and miscellaneous amendments.

## 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.

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

### Offences

Schedule 1[4]–[6], [9], [13]–[15], [27], [29], [41] and [54]–[56] amend certain offences concerning animal cruelty to—

- (a) standardise the structure of the penalty provisions, and

(b) increase the penalties for certain offences.

**Schedule 1[7]** makes it an offence to leave a dog unattended in a vehicle in hot conditions without adequate cooling or ventilation or to restrain a dog on the metal tray of an open-backed vehicle in hot conditions without insulating material to protect the dog from the heat from the metal tray.

**Schedule 1[8]** makes it an offence to tether an animal for more than 2 hours without providing access to sufficient clean water.

**Schedule 1[10]** splits the Act, section 12 into proposed sections 12AA, 12AB and 12. **Schedule 1[11] and [12]** make consequential amendments.

Proposed section 12AA prohibits the clipping, grinding or trimming of the teeth of certain animals.

Proposed section 12AB prohibits the branding of the face of an animal using fire or a hot iron.

Proposed section 12 prohibits certain procedures unless carried out by a veterinary practitioner in limited circumstances.

**Schedule 1[16]** clarifies that the prohibition on administering a poison to an animal does not prohibit the lawful administration of a poison to an animal under another Act or law. For example, a poison administered as part of a treatment by a veterinary practitioner.

**Schedule 1[17]** extends the offence of possession of animal fighting implements to include manufacturing, transporting and using the implements and increases the maximum penalty for the offence.

**Schedule 1[18]** restructures offences dealing with animal fights so that offences related to bullfights are dealt with in a separate section. The maximum penalties are also increased.

**Schedule 1[60]** makes a consequential amendment.

**Schedule 1[19]** makes it an offence for a person to perform the Mules operation on a sheep unless a pain relief product is administered. **Schedule 1[26]** provides the defence of performing the Mules operation on a sheep less than 12 months of age in a way that inflicts no unnecessary pain on the sheep does not apply to the new offence.

**Schedule 1[20]** makes it an offence to possess or use a prong collar on an animal.

**Schedule 1[21] and [22]** make it an offence to possess or set a trap that is prohibited by the regulations to be possessed or set.

**Schedule 1[24]** provides that it is a defence in proceedings for an offence under the Act, Part 2 if the act or omission the subject of the proceedings was castrating a pig of 21 days of age or less in a way that inflicted no unnecessary pain on the pig.

**Schedule 1[25]** inserts a note to clarify the operation of a provision.

**Schedule 1[30]** splits the Act, section 23I(2) into two separate offences. The first requires the occupier of dog premises to ensure each dog on the premises receives proper and sufficient care, food and water. The second requires the occupier of dog premises to ensure a minimum number of staff members are present on the premises for part of each day.

### **Powers of officers**

**Schedule 1[31]** sets out the circumstances in which a person stops being an appointed officer or appointed inspector for the Act.

**Schedule 1[32]** provides for the seizure of the offspring of an animal that gives birth while the animal is seized.

**Schedule 1[33]** inserts a definition of *accredited inspector* for the Act, Part 2A, Division 2.

**Schedule 1[34]** removes the definition of *land* from the Act, Part 2A, Division 2.

**Schedule 1[35]** provides that a person appointed as an inspector under the Act, Part 2A, Division 2, may—

- (a) enter land for the purpose of exercising a function under the Act, Part 2A, and
- (b) exercise a power conferred under the Act, Part 2A in certain places.

**Schedule 1[38]** sets out the powers of a police officer to detain a vehicle or vessel in certain circumstances.

**Schedule 1[39]** provides that an accredited inspector may administer a sedative or pain relief to an animal in distress.

**Schedule 1[40]** sets out the powers and responsibilities of an inspector in relation to an animal in distress and also authorises an accredited inspector to retain possession of the offspring of an animal that gives birth while being retained by the inspector. **Schedule 1[61]** makes a consequential amendment.

### **Seizure and disposal of stock animals**

**Schedule 1[42]** inserts definitions for the Act, Part 2B.

**Schedule 1[43]** permits the Secretary of the Department of Primary Industries and Regional Development (the *Secretary*) to issue an official warning in relation to a stock animal in distress or likely to be in distress. It also provides for the constitution and functions of Stock Welfare Panels. **Schedule 1[49]** makes a consequential amendment.

**Schedule 1[44]** omits the Act, section 24Q and inserts proposed sections 24Q–24QD. **Schedule 1[46]** makes consequential amendments.

Proposed section 24Q provides for the circumstances in which the Secretary may make an order authorising an inspector to seize and dispose of a stock animal (a *seizure order*).

Proposed section 24QA provides for the powers and responsibilities of an inspector under a seizure order.

Proposed section 24QB provides that the Secretary may direct an owner or person in charge of a stock animal to ensure stock animals do not enter specified land during a relevant period and makes it an offence for the recipient of the direction to contravene the direction.

Proposed section 24QC makes it an offence for the owner or person in charge of a stock animal seized under the Act, Part 2B to repurchase the stock animal.

Proposed section 24QD provides that a police officer may give a seizure operation direction to a person during a seizure operation to ensure the safety of a person and makes it an offence for the recipient of the direction to contravene the direction.

### **Local authorities**

**Schedule 1[51]** inserts proposed Part 2C into the Act, consisting of sections 25–25C.

Proposed section 25 inserts definitions of *critical situation* and *local authority* for the proposed part.

Proposed section 25A defines *local authority* for the proposed part and provides for the appointment of persons to the local authority and their remuneration.

Proposed section 25B provides that a local authority may appoint appointed officers to assist with critical situations and provides for the powers of an appointed officer.

Proposed section 25C authorises a local authority to delegate the exercise of the local authority's functions under the Act, other than the power of delegation, to an officer or employee of the local authority.

### **Miscellaneous**

**Schedule 1[1]** inserts and amends definitions for the Act.

**Schedule 1[2]** includes offences relating to animal sexual abuse or animal crush material as animal cruelty offences. **Schedule 1[58]** makes a consequential amendment.

**Schedule 1[3]** makes clear who is the *person in charge* of an animal for the Act.

**Schedule 1[23]** inserts missing conjunctions in a list.

**Schedule 1[36] and [37]** clarify that the powers of an inspector to enter land being used for certain purposes is exercisable regardless of whether the purpose is carried out commercially or not.

**Schedule 1[45], [47] and [48]** clarify that references to animals in the Act, Part 2B are references to stock animals.

**Schedule 1[28] and [52]** correct spelling.

**Schedule 1[53]** corrects a section heading.

**Schedule 1[57]** corrects a reference.

**Schedule 1[58]** provides that reasonable care and maintenance costs that a court may order a person charged with an animal cruelty offence to pay include the costs of providing routine animal husbandry.

**Schedule 1[62]** inserts proposed sections 34D and 34E into the Act. **Schedule 1[50]** makes a consequential amendment.

Proposed section 34D provides for the service of documents authorised or required by the Act or under the regulations to be served on a person.

Proposed section 34E limits the personal liability of certain persons in the exercise of their functions in good faith under the Act and attaches the liability to the Crown.

**Schedule 1[63] and [64]** update regulation-making powers for the Act—

(a) to enable regulations to be made about the regulation and control of animal operations, and

(b) to increase the maximum penalty that may be imposed for offences in the regulations.

**Schedule 1[65]** exempts members of the Australian Defence Force from the application of the Act in relation to the use or handling of dogs.

**Schedule 1[66]** updates references to “shall” in the Act with “must”.

**Schedule 1[67]** inserts a savings and transitional provision.

## **Schedule 2 Consequential amendments to other legislation**

### **Child Protection (Working with Children) Act 2012 No 51**

**Schedule 2.1** makes an amendment consequential on the amendments made by Schedule 1[10].

### **Poisons and Therapeutic Goods Regulation 2008**

**Schedule 2.2** provides for certain inspectors under the *Prevention of Cruelty to Animals Act 1979* to use certain restricted substances to provide sedation or pain relief to an animal.

### **Veterinary Practice Act 2003 No 87**

**Schedule 2.3** makes an amendment consequential on the amendments made by Schedule 1[24].

### **Veterinary Practice Regulation 2013**

**Schedule 2.4** makes an amendment consequential on the amendments made by Schedule 1[24].

## **Schedule 3 Amendment of Prevention of Cruelty to Animals Regulation 2025**

**Schedule 3[1], [10] and [16]** amend certain offences concerning animal cruelty to—

(a) standardise the structure of the penalty provisions, and

(b) increase the penalties for certain offences.

**Schedule 3[2] and [3]** restrict exemptions to certain animal cruelty offences under the Act related to cutting off the pinion of a bird’s wing so the exemptions apply only to a veterinary practitioner.

**Schedule 3[4]** provides that a veterinary practitioner is not guilty of an offence for performing certain procedures on certain animals if the procedure is necessary to treat an injury or disease of the animal.

**Schedule 3[5]–[9]** make amendments consequential on the amendments made by Schedule 1[10].

**Schedule 3[11] and [12]** make amendments consequential on the amendments made by Schedule 1[43].

**Schedule 3[13] and [17]** update penalty notice offences as a consequence to amendments made by the proposed Act.

**Schedule 3[14]** prohibits a person from possessing or using a glue trap except for certain types of glue traps.

**Schedule 3[15]** creates an offence of conveying a large stock animal in a cage or vehicle if the animal is unable to stand upright without coming into contact with the cage or vehicle.



New South Wales

# Prevention of Cruelty to Animals Amendment (Enforcement and Operational Powers) Bill 2026

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*This PUBLIC BILL, originated in the LEGISLATIVE COUNCIL and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.*

*Legislative Council*

*Clerk of the Parliaments*



New South Wales

# **Prevention of Cruelty to Animals Amendment (Enforcement and Operational Powers) Bill 2026**

No. \_\_\_\_\_, 2026

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## **A Bill for**

An Act to amend the *Prevention of Cruelty to Animals Act 1979* and other legislation to promote animal welfare; and for other purposes.

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*The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with/without amendment.*

*Legislative Assembly*

*Clerk of the Legislative Assembly*

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**Tabling copy**

**The Legislature of New South Wales enacts—**

1

**1 Name of Act**

2

This Act is the *Prevention of Cruelty to Animals Amendment (Enforcement and Operational Powers) Act 2026*.

3

4

**2 Commencement**

5

This Act commences on the date of assent to this Act.

6

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

### [1]      **Section 4 Definitions**

Omit section 4(1), definitions of *bull-fight*, *Department*, *dog*, *horse*, *person in charge*, *sale-yard* and *stock animal*.

Insert in alphabetical order—

*abattoir* means premises used for or in connection with the slaughter of animals and includes a knackery.

*accredited inspector*, for Part 2A, Division 2—see section 24D.

*alpaca* means an animal of the species *Vicugna pacos*.

*animal operation* means the following operated by a local council, a registered charity or an incorporated association—

- (a) an animal pound,
- (b) an animal shelter,
- (c) an animal rehoming operation.

*camel* means an animal of the species *Camelus dromedarius*.

*camelid* means—

- (a) an alpaca, or
- (b) a camel, or
- (c) a llama.

*cattle* means animals of the genus *Bos*, and includes American bison or buffalo (*Bison bison*) and domestic water buffalo (*Bubalus bubalis*).

*controlled procedure* has the same meaning as in section 12.

*critical situation*, for Part 2C—see section 25.

*deer* means an animal of the family *Cervidae*.

*Department* means the Department of Primary Industries and Regional Development.

*dispose of*, for Part 2B—see section 24O.

*distress*, for Part 2B—see section 24O.

*dock* the tail of an animal means remove, by surgical or other means, all or part of the tail other than a part consisting only of fur, hair or feathers.

*dog*—

- (a) means an animal of the species—
  - (i) *Canis dingo*, or
  - (ii) *Canis familiaris*, or
  - (iii) *Canis familiaris dingo*, or
  - (iv) *Canis lupus dingo*, or
  - (v) *Canis lupus familiaris*, and
- (b) includes an animal of a species with a name that is a synonym of a scientific name referred to in paragraph (a), and
- (c) includes a hybrid of 2 or more species referred to in paragraph (a) or (b), and
- (d) includes all animals of the species or hybrids of the species regardless of—

(i) the sex of the animal, or	1
(ii) the age of the animal, or	2
(iii) whether the animal is domesticated or not.	3
<b>goat</b> means an animal of the genus <i>Capra</i> .	4
<b>horse</b> means the following—	5
(a) an animal of the species—	6
(i) <i>Equus asinus</i> , or	7
(ii) <i>Equus caballus</i> ,	8
(b) a hybrid of the species referred to in paragraph (a).	9
<b>inspector</b> , for Part 2A, Division 2 and Part 2B—see section 24D.	10
<b>land</b> includes—	11
(a) premises, and	12
(b) a vehicle, vessel or aircraft.	13
<b>llama</b> means an animal of the species <i>Lama glama</i> .	14
<b>local authority</b> , for Part 2C—see section 25.	15
<b>official warning</b> , for Part 2B—see section 24P.	16
<b>person in charge</b> —see section 4B.	17
<b>pig</b> means an animal of the genus <i>Sus</i> .	18
<b>poultry</b> means the following—	19
(a) <i>Alectoris chukar</i> and <i>Phasianus colchicus</i> , commonly known as partridges and pheasants,	20
(b) <i>Anas platyrhynchos</i> and <i>Cairina moschata</i> , commonly known as ducks,	22
(c) <i>Anser anser</i> , commonly known as geese,	23
(d) <i>Columba livia</i> , commonly known as pigeons,	24
(e) <i>Coturnix japonica</i> and <i>Colinus virginianus</i> , commonly known as quails,	25
(f) <i>Dromaius novaehollandiae</i> , commonly known as emus,	27
(g) <i>Gallus gallus domesticus</i> , commonly known as domestic chickens,	28
(h) <i>Meleagris gallopavo</i> , commonly known as turkeys,	29
(i) <i>Numida meleagris</i> , commonly known as guineafowl,	30
(j) <i>Struthio camelus</i> , commonly known as ostriches.	31
<b>saleyard</b> means the following—	32
(a) premises or a public place used, or established for use, wholly or partly, for the sale of stock animals,	33
(b) a facility at which stock animals are delivered for assembly before a journey,	35
(c) a facility or yard in which stock animals are rested between journeys.	37
<b>seizure order</b> , for Part 2B—see section 24O.	38
<b>sheep</b> means an animal of the genus <i>Ovis</i> .	39
<b>stock animal</b> means the following—	40
(a) camelids,	41
(b) cattle,	42
(c) deer,	43
(d) goats,	44

(e) horses,	1
(f) pigs,	2
(g) poultry,	3
(h) sheep,	4
(i) another kind of animal prescribed by the regulations for this definition.	5
<i>stock animal in distress</i> , for Part 2B—see section 24O.	6
<i>Stock Welfare Panel</i> or <i>Panel</i> , for Part 2B—see section 24O.	7
<b>[2] Section 4(1), definition of “animal cruelty offence”, paragraph (b)</b>	8
Omit the paragraph.	9
Insert instead—	10
(b) an offence against the <i>Crimes Act 1900</i> , section 79, 79A, 79B, 80, 530, 531 or 547E.	11 12
<b>[3] Section 4B</b>	13
Insert after section 4A—	14
<b>4B Meaning of “person in charge”</b>	15
(1) For this Act, a <i>person in charge</i> , of an animal, includes the following—	16
(a) the owner of the animal,	17
(b) a person who has the animal—	18
(i) in the person’s possession or custody, or	19
(ii) under the person’s care, control or supervision,	20
(c) if a person in paragraph (b) is under the direction or control of an employee or agent of the owner of the animal—the employee or agent,	21 22
(d) for a stock animal at a saleyard or an abattoir—	23
(i) the owner of the saleyard or abattoir, and	24
(ii) the lessee, if any, of the saleyard or abattoir.	25
(2) More than one person may be the person in charge of an animal at the same time.	26 27
<b>[4] Section 5 Cruelty to animals</b>	28
Omit the penalty.	29
Insert after section 5(1), (2) and (3)—	30
Maximum penalty—	31
(a) for an individual—400 penalty units or imprisonment for 1 year, or both, or	32 33
(b) otherwise—2,000 penalty units.	34
<b>[5] Sections 6(1), 15(2), 21(1), 23D(1) and 23H(1) and (2), penalties</b>	35
Omit the penalties.	36
Insert instead—	37
Maximum penalty—	38
(a) for an individual—1,000 penalty units or imprisonment for 2 years, or both, or	39 40

(b)	otherwise—5,000 penalty units.	1
[6]	<b>Sections 7(1), (2) and (2A), 8(1), 9(1) and (3), 10(1), (2) and (3), 22(1) and (3), 23A(1) and (2) and 23L(1) and (2), penalties</b>	2 3
	Omit the penalties.	4
	Insert instead—	5
	Maximum penalty—	6
	(a) for an individual—150 penalty units or imprisonment for 6 months, or both, or	7 8
	(b) otherwise—750 penalty units.	9
[7]	<b>Section 7A</b>	10
	Insert after section 7—	11
	<b>7A Dogs—vehicle offences</b>	12
	(1) This section applies to a vehicle if the ambient outside temperature at the location of the vehicle is more than 28°C.	13 14
	(2) A person must not leave a dog unattended in a vehicle for more than 10 minutes, unless the vehicle is adequately cooled by a cooling or ventilation system operating in the vehicle.	15 16 17
	Maximum penalty—	18
	(a) for an individual—400 penalty units or imprisonment for 1 year, or both, or	19 20
	(b) otherwise—2,000 penalty units.	21
	(3) A person must not restrain a dog on the metal tray of an open-backed vehicle unless insulating material is used that adequately protects the dog from the heat from the metal tray.	22 23 24
	Maximum penalty—	25
	(a) for an individual—400 penalty units or imprisonment for 1 year, or both, or	26 27
	(b) otherwise—2,000 penalty units.	28
	(4) This section applies to a trailer or caravan attached to a vehicle in the same way it applies to the vehicle.	29 30
	(5) Compliance with this section is not a defence for an offence against another provision of this Act or the regulations.	31 32
[8]	<b>Section 10 Tethering of animals</b>	33
	Insert after section 10(4)—	34
	(5) A person who tethers an animal must ensure that if the animal is tethered for more than 2 hours, the animal is provided with proper access to sufficient clean water for the whole period during which the animal is tethered.	35 36 37
	Maximum penalty—	38
	(a) for an individual—150 penalty units or imprisonment for 6 months, or both, or	39 40
	(b) otherwise—750 penalty units.	41
	(6) Compliance with subsection (5) is not a defence for an offence against another provision of this Act or the regulations.	42 43

(7)	The regulations may prescribe additional offences about the tethering of animals with a maximum penalty of no more than—	1
		2
(a)	for an individual—150 penalty units or imprisonment for 6 months, or both, or	3
		4
(b)	otherwise—750 penalty units.	5
<b>[9]</b>	<b>Sections 11, 13, 16(2), 19, 19A(2) and (3), 20, 21A, 21B, 21C and 23(2), penalties</b>	6
	Omit the penalties.	7
	Insert instead—	8
	Maximum penalty—	9
(a)	for an individual—400 penalty units or imprisonment for 1 year, or both, or	10
		11
(b)	otherwise—2,000 penalty units.	12
<b>[10]</b>	<b>Sections 12AA, 12AB and 12</b>	13
	Omit section 12.	14
	Insert instead—	15
<b>12AA</b>	<b>Clipping, grinding and trimming teeth</b>	16
(1)	A person must not clip, grind or trim the tooth of the following with a tool—	17
(a)	an alpaca,	18
(b)	a llama,	19
(c)	a sheep.	20
	Maximum penalty—	21
(a)	for an individual—400 penalty units or imprisonment for 1 year, or both, or	22
		23
(b)	otherwise—2,000 penalty units.	24
	<b>Examples—</b> using pliers to clip a tooth or using an electric angle grinder to grind or trim a tooth	25
		26
(2)	A person is not guilty of an offence against this section if the court is satisfied the tooth was clipped, ground or trimmed—	27
		28
(a)	by a veterinary practitioner, and	29
(b)	to treat an injury or disease of the animal.	30
(3)	In this section—	31
	<b>clip</b> a tooth means breaking off the crown of the tooth.	32
	<b>grind</b> a tooth means grinding down the tooth.	33
	<b>tool</b> includes implement.	34
	<b>trim</b> a tooth means cutting off the tooth.	35
<b>12AB</b>	<b>Branding face of animal</b>	36
	A person must not fire or hot iron brand the face of an animal.	37
	Maximum penalty—	38
(a)	for an individual—400 penalty units or imprisonment for 1 year, or both, or	39
		40
(b)	otherwise—2,000 penalty units.	41

<b>12</b>	<b>Controlled procedures</b>	1
(1)	A person must not carry out a controlled procedure unless—	2
(a)	the person is a veterinary practitioner, and	3
(b)	the procedure is carried out—	4
(i)	in the circumstances prescribed by the regulations, and	5
(ii)	in accordance with the conditions prescribed by the regulations.	6
	Maximum penalty—	7
(a)	for an individual—400 penalty units or imprisonment for 1 year, or both, or	8
(b)	otherwise—2,000 penalty units.	9
(2)	In this section—	11
	<i>controlled procedure</i> means the following—	12
(a)	cropping the ears of a dog,	13
(b)	docking the tails of cattle, dogs or horses,	14
(c)	operating on a dog to prevent the dog from barking,	15
(d)	performing a clitoridectomy on a greyhound,	16
(e)	removing one or more claws from a cat.	17
<b>[11]</b>	<b>Section 12A, heading</b>	18
	Omit the heading.	19
	Insert instead—	20
	<b>12A Registers for controlled procedures</b>	21
<b>[12]</b>	<b>Section 12A(1)</b>	22
	Omit “procedure referred to in section 12 (1) shall”.	23
	Insert instead “controlled procedure must”.	24
<b>[13]</b>	<b>Section 12A(1), penalty</b>	25
	Omit the penalty.	26
	Insert instead—	27
	Maximum penalty—150 penalty units.	28
<b>[14]</b>	<b>Sections 12A(2) and (3) and 28, penalties</b>	29
	Omit the penalties.	30
	Insert instead—	31
	Maximum penalty—	32
(a)	for an individual—150 penalty units, or	33
(b)	otherwise—750 penalty units.	34
<b>[15]</b>	<b>Section 14 Injuries to animals to be reported</b>	35
	Omit “50 penalty units”.	36
	Insert instead “150 penalty units”.	37

<b>[16] Section 15 Poisons not to be administered to animals</b>	1
Insert “unless authorised under this Act or another Act or law,” after “domestic animal,” in section 15(2)(a).	2 3
<b>[17] Section 17</b>	4
Omit the section.	5
Insert instead—	6
<b>17 Prohibition of animal fighting implements</b>	7
(1) A person must not manufacture, possess, transport or use—	8
(a) a spur, or similar thing, that has sharpened rowels, or	9
(b) another animal fighting implement for animal fighting.	10
Maximum penalty—	11
(a) for an individual—1,000 penalty units or imprisonment for 2 years, or both, or	12 13
(b) otherwise—5,000 penalty units.	14
(2) In this section—	15
<b><i>animal fighting implement</i></b> includes the following—	16
(a) a thing used for the purpose of causing or training an animal to fight another animal,	17 18
(b) a thing used for the purpose of increasing the ability of an animal to inflict injury on another animal during a fight.	19 20
<b>[18] Sections 18 and 18A</b>	21
Omit the sections.	22
Insert instead—	23
<b>18 Animal baiting and fighting</b>	24
(1) A person must not—	25
(a) conduct, procure, encourage or incite an animal fight, or	26
(b) organise an animal fight, or	27
(c) train or prepare an animal for an animal fight, or	28
(d) possess or sell an animal for an animal fight, or	29
(e) be present at—	30
(i) an animal fight, or	31
(ii) the preparations for an animal fight, or	32
(f) advertise or promote an animal fight, or	33
(g) use, manage or control a place used for baiting an animal or conducting an animal fight, or	34 35
(h) authorise a place to be used for baiting an animal or conducting an animal fight, or	36 37
(i) receive money for the admission of another person to a place used for baiting an animal or conducting an animal fight.	38 39
Maximum penalty—	40

(a)	for an individual—1,000 penalty units or imprisonment for 2 years, or both, or	1 2
(b)	otherwise—5,000 penalty units.	3
(2)	In this section—	4
	<i>animal fight</i> means an event at which an animal is made, encouraged or incited to fight another animal.	5 6
<b>18A</b>	<b>Bullfighting prohibited</b>	7
(1)	A person must not—	8
(a)	take part in a bullfight, or	9
(b)	advertise or promote a bullfight, or	10
(c)	use, manage or control a place used to conduct a bullfight, or	11
(d)	authorise a place to be used to conduct a bullfight, or	12
(e)	receive money for the admission of another person to a place used to conduct a bullfight.	13 14
	Maximum penalty—	15
(a)	for an individual—1,000 penalty units or imprisonment for 2 years, or both, or	16 17
(b)	otherwise—5,000 penalty units.	18
(2)	In this section—	19
	<i>bullfight</i> includes a display, exhibition or spectacle—	20
(a)	whether or not conducted for the purpose of gain, and	21
(b)	whether or not for the purpose of causing a bull to fight, and	22
(c)	in which a person—	23
(i)	commits an act of cruelty upon a bull, or	24
(ii)	teases a bull, or does another thing in relation to a bull, in a way that is likely to cause the bull to fight or to suffer pain or injury, or	25 26
(iii)	attempts to do anything in subparagraph (i) or (ii).	27
<b>[19]</b>	<b>Section 21BA</b>	28
	Insert after section 21B—	29
<b>21BA</b>	<b>Pain relief for Mules operation</b>	30
	A person must not perform the Mules operation on a sheep unless—	31
(a)	the sheep is administered with a pain relief product—	32
(i)	registered with the Australian Pesticides and Veterinary Medicines Authority ( <i>APVMA</i> ) for use on sheep, or	33 34
(ii)	prescribed for use on the sheep for the Mules operation by a veterinary practitioner, and	35 36
(b)	the pain relief product is used consistently with—	37
(i)	the APVMA label directions and permit conditions, or	38
(ii)	the directions of the veterinary practitioner.	39
	Maximum penalty—	40
(a)	for an individual—150 penalty units or imprisonment for 6 months, or both, or	41 42
(b)	otherwise—750 penalty units.	43

<b>[20] Section 22A</b>	1
Insert after section 22—	2
<b>22A Possession and use of prong collars</b>	3
(1) A person must not—	4
(a) possess a prong collar, or	5
(b) use a prong collar on an animal.	6
Maximum penalty—	7
(a) for an individual—400 penalty units or imprisonment for 1 year, or both, or	8
(b) otherwise—2,000 penalty units.	10
(2) In this section—	11
<i>prong collar</i> means a collar that—	12
(a) is designed for use on an animal, and	13
(b) consists of a series of links or segments with prongs, teeth or blunted open ends turned towards the skin of an animal so that, when the collar is tightened, the collar pinches the skin around the animal’s neck.	14
	15
	16
<b>[21] Section 23, heading</b>	17
Omit the heading.	18
Insert instead—	19
<b>23 Possession and setting of traps</b>	20
<b>[22] Section 23(1) and (1A)</b>	21
Omit section 23(1).	22
Insert instead—	23
(1) A person must not possess or set a type of trap that is prohibited to be possessed or set by the regulations.	24
Maximum penalty—	25
(a) for an individual—400 penalty units or imprisonment for 1 year, or both, or	26
(b) otherwise—2,000 penalty units.	27
(1A) The regulations under subsection (1) may limit the prohibition to parts of the State or to certain persons, or both.	28
	29
	30
	31
<b>[23] Section 23B Certain defences</b>	32
Insert “or” after “the animal,” wherever occurring in section 23B(1)(a)(i)–(iii).	33
<b>[24] Section 23B(1)(a)(ii)</b>	34
Omit “a pig of less than 2 months of age”.	35
Insert instead “a pig of 21 days of age or less”.	36
<b>[25] Section 23B(1)(a), note</b>	37
Insert after section 23B(1)(a)—	38
<b>Note—</b> The acts referred to in paragraph (a) may be restricted acts of veterinary science under the <i>Veterinary Practice Act 2003</i> . That Act, section 9, creates an offence	39
	40

	for a person to do any restricted act of veterinary science unless the person is a veterinary practitioner.	1 2
<b>[26]</b>	<b>Section 23B(3)</b>	3
	Insert after section 23B(2)—	4
	(3) Subsection (1)(a)(v) does not apply to a person accused of an offence against section 21BA.	5 6
<b>[27]</b>	<b>Sections 23E(1), 23F and 23G(2), penalties</b>	7
	Omit the penalties.	8
	Insert instead—	9
	Maximum penalty—	10
	(a) for an individual—100 penalty units or imprisonment for 6 months, or both, or	11 12
	(b) otherwise—500 penalty units.	13
<b>[28]</b>	<b>Section 23H Lifetime breeding cap for dogs</b>	14
	Omit “caesarian” from section 23H(4)(a)(iv).	15
	Insert instead “caesarean”.	16
<b>[29]</b>	<b>Section 23H(4), penalty</b>	17
	Omit the penalty.	18
	Insert instead—	19
	Maximum penalty—	20
	(a) for an individual—100 penalty units, or	21
	(b) otherwise—500 penalty units.	22
<b>[30]</b>	<b>Section 23I Minimum number of staff members for dog breeding premises</b>	23
	Omit section 23I(2).	24
	Insert instead—	25
	(2) The occupier of the dog premises must ensure each dog on the premises receives proper and sufficient care, food and water.	26 27
	Maximum penalty—	28
	(a) for an individual—400 penalty units, or	29
	(b) otherwise—2,000 penalty units.	30
	(2A) The occupier of the dog premises must ensure the minimum number of staff members are present on the premises for part of each day.	31 32
	Maximum penalty—	33
	(a) for an individual—400 penalty units, or	34
	(b) otherwise—2,000 penalty units.	35
<b>[31]</b>	<b>Section 24AC Period of appointment</b>	36
	Omit section 24AC(3).	37
	Insert instead—	38
	(3) A person stops being an appointed officer or appointed inspector if—	39

(a)	the person’s appointment no longer has effect, or	1
(b)	the person’s appointment is revoked by the Minister, or	2
(c)	for an appointment made by reference to a particular office—the person no longer holds the office, or	3 4
(d)	for an appointment made because the person is employed by a particular approved charitable organisation—the person is no longer employed by the organisation.	5 6 7
<b>[32]</b>	<b>Section 24CB Officers’ powers relating to animals kept by convicted persons</b>	8
	Insert after section 24CB(2)—	9
(2A)	If an animal seized under subsection (1) or (2) gives birth to offspring while kept by an officer under this section, the offspring are taken to have also been seized under subsection (1) or (2).	10 11 12
<b>[33]</b>	<b>Section 24D Definitions and application of Division</b>	13
	Insert in alphabetical order in section 24D(1)—	14
	<i>accredited inspector</i> means an inspector who is accredited by the Veterinary Practitioners Board to administer a sedative or pain relief to an animal.	15 16
<b>[34]</b>	<b>Section 24D(1), definition of “land”</b>	17
	Omit the definition.	18
<b>[35]</b>	<b>Sections 24E(1), 24F(3)(b) and 24M</b>	19
	Omit “Division” wherever occurring.	20
	Insert instead “part”.	21
<b>[36]</b>	<b>Section 24G, heading</b>	22
	Omit the heading.	23
	Insert instead—	24
	<b>24G Powers of inspectors in relation to certain land</b>	25
<b>[37]</b>	<b>Section 24G(1)(a)</b>	26
	Omit the paragraph.	27
	Insert instead—	28
(a)	land used for the purpose of a saleyard, animal operation, or animal trade,	29 30
<b>[38]</b>	<b>Section 24H Powers of police officers to detain vehicle or vessel</b>	31
	Omit section 24H(1).	32
	Insert instead—	33
(1)	This section applies if a police officer suspects on reasonable grounds that a vehicle or vessel contains an animal—	34 35
(a)	in relation to which an offence under section 5, 6, 7 or 8 has been committed and the animal is in distress, or	36 37
(b)	for which a seizure order has been made under section 24Q, or	38
(c)	that is being transported to prevent—	39

	(i) a Stock Welfare Panel constituted under section 24PA from properly exercising the Panel's functions, or	1 2
	(ii) an inspector from properly conducting a seizure operation.	3
(1A)	The police officer may do one or more of the following—	4
	(a) stop the vehicle or vessel,	5
	(b) enter the vehicle or vessel,	6
	(c) enter land for the purposes of entering the vehicle or vessel,	7
	(d) examine the animal.	8
<b>[39]</b>	<b>Section 24J Powers of inspectors in relation to care of animals</b>	9
	Insert after section 24J(1)(d)—	10
	(d1) for an inspector who is an accredited inspector—administer a sedative or pain relief to the animal,	11 12
	<b>Note—</b> Functions exercised under paragraph (d) or (d1) must be exercised in accordance with the <i>Poisons and Therapeutic Goods Act 1966</i> .	13 14
<b>[40]</b>	<b>Section 24J(3A)–(3C)</b>	15
	Insert after section 24J(3)—	16
	(3A) If an animal gives birth to offspring while retained by an inspector under this section, the inspector may do any or all of the things set out in subsection (1)(a)–(e) in relation to the offspring.	17 18 19
	(3B) For subsection (1)(d1), an accredited inspector must—	20
	(a) if reasonably practicable—obtain advice from a veterinary practitioner before administering the sedative or pain relief, and	21 22
	(b) as soon as practicable after administering the sedative or pain relief, arrange for the animal to be examined by a veterinary practitioner, and	23 24
	(c) if the animal is a stock animal—as soon as practicable after administering the sedative or pain relief, give the person in charge of the animal a record that the sedative or pain relief has been administered.	25 26 27
	(3C) A veterinary practitioner may, despite the <i>Veterinary Practice Act 2003</i> , supply a restricted substance to an accredited inspector for the purposes of the accredited inspector administering a sedative or pain relief to an animal under this section.	28 29 30 31
<b>[41]</b>	<b>Sections 24N(2) and 24NA(2) and (3), penalties</b>	32
	Omit the penalties.	33
	Insert instead—	34
	Maximum penalty—	35
	(a) for an individual—50 penalty units, or	36
	(b) otherwise—250 penalty units.	37
<b>[42]</b>	<b>Section 24O</b>	38
	Omit the section.	39
	Insert instead—	40
	<b>24O Definitions</b>	41
	In this part—	42

<i>dispose of</i> means dispose of by sale or otherwise.	1
<i>distress</i> , for a stock animal, means—	2
(a) debility, or	3
(b) exhaustion, or	4
(c) suffering because of exposure to weather, or	5
(d) significant physical injury.	6
<i>inspector</i> has the same meaning as in Part 2A, Division 2.	7
<i>official warning</i> —see section 24P(1).	8
<i>seizure order</i> —see section 24Q(1).	9
<i>stock animal in distress</i> means a stock animal that is experiencing distress because the animal has not—	10
(a) been provided with appropriate drink, food or shelter, or	12
(b) been provided with appropriate animal husbandry, or	13
(c) been provided with appropriate veterinary treatment, or	14
(d) otherwise been provided with appropriate care.	15
<i>Stock Welfare Panel</i> or <i>Panel</i> means a Stock Welfare Panel constituted under section 24PA.	16
<b>[43] Sections 24P and 24PA</b>	18
Omit section 24P.	19
Insert instead—	20
<b>24P Official warnings</b>	21
(1) The Secretary may give a written notice (an <i>official warning</i> ) to the owner or person in charge of a stock animal stating that—	22
(a) action specified in the notice in relation to the stock animal’s welfare must be taken within the time specified in the notice, and	24
(b) the Secretary intends to authorise the seizure and disposal of the stock animal if the action is not taken within that time.	26
(2) The Secretary must not give the official warning unless the Secretary suspects, on reasonable grounds, that the stock animal is—	28
(a) a stock animal in distress, or	30
(b) likely to become a stock animal in distress.	31
(3) The official warning may—	32
(a) require more than one action to be taken, and	33
(b) specify different periods for taking different actions, and	34
(c) include a direction requiring the owner or person in charge of the stock animal to keep records to show the person has complied with the official warning.	35
<b>Examples of records</b> — receipts for feed purchases, records of veterinary treatment	36
(4) The Secretary may give a further written notice to the owner or person in charge of the stock animal that—	37
(a) revokes the official warning, or	38
(b) removes a requirement that an action be taken, or	39
	40
	41
	42
	43

(c)	extends the time within which an action must be taken.	1
(5)	A single official warning may be given in relation to more than one stock animal.	2 3
<b>24PA</b>	<b>Stock Welfare Panels</b>	4
(1)	Before issuing an official warning, the Secretary must—	5
(a)	constitute a Stock Welfare Panel, and	6
(b)	require the Panel to assess, and report to the Secretary on—	7
(i)	the state of the stock animal, and	8
(ii)	the appropriate care for the stock animal, and	9
(iii)	other matters about the stock animal’s welfare that the Secretary considers appropriate, and	10 11
(c)	consider the Panel’s report.	12
(2)	The Stock Welfare Panel must consist of the following members—	13
(a)	an inspector,	14
(b)	at least one person employed in the Department with expertise in animal welfare or livestock management,	15 16
(c)	at least one representative of Local Land Services with expertise in animal welfare or livestock management,	17 18
(d)	if the Secretary considers it necessary when considering the circumstances in which the Panel is established—at least one person who has relevant expertise relating to—	19 20 21
(i)	the type of stock animal, or	22
(ii)	the treatment of the stock animal, or	23
(iii)	the nutrition required by the stock animal, or	24
(iv)	the farming practices used in relation to the stock animal.	25
(3)	The regulations may prescribe other persons who must be members of the Stock Welfare Panel.	26 27
(4)	The Secretary must decide the procedure of the Stock Welfare Panel.	28
(5)	The Stock Welfare Panel must, if an official warning is issued—	29
(a)	monitor compliance with the official warning, and	30
(b)	assess and report to the Secretary about—	31
(i)	compliance with the official warning, and	32
(ii)	action to be taken in relation to the stock animal.	33
(6)	A report under subsection (5)—	34
(a)	may be given at any time, and	35
(b)	must be given at the end of the last period specified in the official warning for compliance with an action.	36 37
(7)	An inspector may, for the purpose of assisting the Stock Welfare Panel in the exercise of its functions under this section—	38 39
(a)	enter any land on which the stock animal is kept, and	40
(b)	examine the stock animal.	41

<b>[44] Sections 24Q–24QD</b>	1
Omit section 24Q.	2
Insert instead—	3
<b>24Q Making seizure order</b>	4
(1) The Secretary may, by written order (a <i>seizure order</i> ), authorise an inspector to seize and dispose of a stock animal.	5 6
(2) A seizure order may be made for a stock animal if the Secretary—	7
(a) has considered the report of a Stock Welfare Panel on compliance with an official warning given in relation to the stock animal, and	8 9
(b) is satisfied the action required to be taken by the official warning in relation to the stock animal’s welfare has not been taken, and	10 11
(c) is satisfied the stock animal—	12
(i) is a stock animal in distress, or	13
(ii) is likely to become a stock animal in distress.	14
(3) A seizure order may also be made for a stock animal if the Secretary—	15
(a) is satisfied the stock animal entered land in contravention of a direction under section 24QB, and	16 17
(b) has sought the advice of the Stock Welfare Panel, and	18
(c) has been advised by the Panel that the Panel reasonably believes the stock animal—	19 20
(i) is a stock animal in distress, or	21
(ii) is likely to become a stock animal in distress.	22
(4) A seizure order may also be made for a stock animal if the Secretary is reasonably satisfied the stock animal was purchased or acquired in contravention of section 24QC.	23 24 25
(5) A seizure order for a stock animal also authorises an inspector to seize and dispose of an offspring of the stock animal if the offspring is born—	26 27
(a) after the official warning is given, and	28
(b) before the stock animal is seized.	29
(6) A seizure order may apply to more than one stock animal.	30
<b>24QA Seizing stock animals under seizure order</b>	31
(1) An inspector who is authorised by a seizure order to seize and dispose of a stock animal may—	32 33
(a) enter land on which the stock animal is kept, and	34
(b) seize and dispose of the stock animal in accordance with the order.	35
(2) The inspector must—	36
(a) show the seizure order to the owner or person in charge of the stock animal, if requested to do so, and	37 38
(b) give a receipt for the seizure to the owner or person in charge, if—	39
(i) the owner or person is present, and	40
(ii) it is reasonably practical to give the receipt.	41
(3) Compensation is not recoverable against a person for the seizure or disposal of a stock animal in accordance with this section.	42 43

(4)	A stock animal must not be disposed of under this section if—	1
(a)	proceedings for an offence against this Act or the regulations are commenced, and	2
(b)	the offence relates to the stock animal, and	3
(c)	the proceedings have not been finally determined.	4
(5)	A stock animal must also not be disposed of under this section if an order has been made by a court under section 30 or 31 about the destruction or other disposal of the stock animal.	5
(6)	The <i>Biodiversity Conservation Act 2016</i> does not prevent the seizure and disposal of a stock animal under this section.	6
(7)	Section 31A does not apply to the sale of a stock animal under this section.	7
<b>24QB</b>	<b>Prevention of other stock animals from entering land</b>	8
(1)	The Secretary may direct a person to ensure stock animals do not enter specified land during the relevant period.	9
(2)	The direction may be given if—	10
(a)	the Secretary has—	11
(i)	given an official warning in relation to a stock animal, or	12
(ii)	made a seizure order for a stock animal, and	13
(b)	the person was the owner or person in charge of the stock animal at the time the official warning or seizure order was given or made, and	14
(c)	the Secretary considers it appropriate to give the direction.	15
(3)	The direction—	16
(a)	must be given by written order to the person, and	17
(b)	must specify the land and the stock animals, or kinds of stock animals, to which the direction applies.	18
(4)	The relevant period—	19
(a)	commences when the direction is given to the person, and	20
(b)	ends—	21
(i)	60 days after the direction is given, or	22
(ii)	if an earlier date is specified in the direction—on the earlier date.	23
(5)	The same direction may be given to more than one person.	24
(6)	A person given a direction must not contravene the direction.	25
	Maximum penalty—	26
(a)	for an individual—50 penalty units or imprisonment for 6 months, or both, or	27
(b)	otherwise—250 penalty units.	28
<b>24QC</b>	<b>Offence to repurchase seized stock animals</b>	29
(1)	The owner or person in charge of a stock animal seized under this part must not, during the prescribed period—	30
(a)	purchase or acquire the stock animal, or	31
(b)	arrange for the stock animal to be acquired on the person's behalf.	32
	Maximum penalty—	33

(a)	for an individual—50 penalty units or imprisonment for 6 months, or both, or	1 2
(b)	otherwise—250 penalty units.	3
(2)	In this section—	4
	<i>prescribed period</i> means the period—	5
(a)	commencing on the day on which the stock animal is seized, and	6
(b)	ending 60 days after the day on which the stock animal is seized.	7
<b>24QD</b>	<b>Additional powers for police officers during seizure and disposal</b>	8
(1)	A police officer may give a direction under this section (a <i>seizure operation direction</i> ) to a person to ensure the safety of a person during a seizure operation on premises.	9 10 11
(2)	A seizure operation direction may require a person to—	12
(a)	not interfere with the seizure operation, or	13
(b)	remove a vehicle or other thing obstructing the seizure operation, or	14
(c)	leave specified land, or	15
(d)	not enter specified land, or	16
(e)	remain on specified land.	17
(3)	A seizure operation direction—	18
(a)	may be given at any time during the seizure operation, and	19
(b)	is suspended at times when no activities under the seizure operation are taking place on the premises, and	20 21
(c)	stops having effect when the seizure operation is completed.	22
(4)	A seizure operation direction must not prevent a person from entering or remaining in a dwelling in which the person resides unless the police officer giving the direction reasonably believes the direction is necessary to prevent a serious risk to a person’s safety.	23 24 25 26
	<b>Example—</b> a reasonable belief that the person wishes to enter the dwelling to get a firearm	27 28
(5)	A person must comply with a seizure operation direction. Maximum penalty—25 penalty units.	29 30
(6)	A police officer may remove a vehicle or other thing obstructing the seizure operation whether or not a seizure operation direction is given.	31 32
(7)	This section does not limit the powers of a police officer under another Act or law.	33 34
(8)	In this section—	35
	<i>seizure operation</i> means the entry on to land and the seizure of a stock animal under a seizure order.	36 37
<b>[45]</b>	<b>Sections 24R(1), (3) and (7)(a) and 24S</b>	38
	Omit “an animal” wherever occurring.	39
	Insert instead “a stock animal”.	40
<b>[46]</b>	<b>Section 24R Recovery of costs of seizure and disposal</b>	41
	Omit “section 24Q” wherever occurring in section 24R(1) and (3).	42

Insert instead “this part”.	1
<b>[47] Section 24R(2)</b>	2
Omit “one animal”.	3
Insert instead “one stock animal”.	4
<b>[48] Sections 24R(4) and 24S</b>	5
Omit “the animal” wherever occurring.	6
Insert instead “the stock animal”.	7
<b>[49] Section 24T Stock Welfare Panels</b>	8
Omit the section.	9
<b>[50] Section 24U Exclusion of personal liability</b>	10
Omit the section.	11
<b>[51] Part 2C</b>	12
Insert after Part 2B—	13
<b>Part 2C Local authorities—critical situations</b>	14
<b>25 Definitions</b>	15
In this part—	16
<i>critical situation</i> means—	17
(a) an emergency within the meaning of the <i>State Emergency and Rescue Management Act 1989</i> , or	18
(b) a situation requiring the mass euthanasia of animals, or	20
<b>Example—</b> a serious road accident involving a truck carrying stock animals	21
(c) a situation in which—	22
(i) immediate euthanasia of an animal is required on the basis the animal is so diseased or severely injured, or in so poor a physical condition, that it is cruel to keep the animal alive, and	23
(ii) an authorised officer or veterinary practitioner is not available.	26
<i>local authority</i> —see section 25A(1).	27
<b>25A Local authority—meaning</b>	28
(1) For this part, each of the following is a <i>local authority</i> —	29
(a) for all the State—Local Land Services,	30
(b) for a local government area—the council for the area,	31
(c) for Lord Howe Island—the Lord Howe Island Board,	32
(d) for an area within the Western Division—a person appointed for the area by the Minister (an <i>appointed person</i> ).	33
(2) The Minister may revoke the appointment of an appointed person at any time and for any or no reason.	35
(3) An appointed person is entitled to be paid the remuneration, including travelling and subsistence allowances, that the Minister may from time to time decide.	37

(4)	Subsection (3) does not apply if the appointed person is an employee of a government sector agency within the meaning of the <i>Government Sector Employment Act 2013</i> .	1 2 3
<b>25B</b>	<b>Local authority may appoint officers to assist with critical situations</b>	4
(1)	A local authority has the same power as the Minister to appoint appointed officers to exercise functions in relation to critical situations within the local authority's area.	5 6 7
(2)	A person appointed by a local authority as an appointed officer may, in a critical situation—	8 9
(a)	for an appointed officer appointed by a council for a local government area—humanely destroy a stock animal, or	10 11
(b)	for an appointed officer not referred to in paragraph (a)—humanely destroy a stock animal or native animal, or	12 13
(c)	for an appointed officer appointed by Local Land Services—enter premises, other than premises used for residential purposes, to humanely destroy a stock animal or native animal.	14 15 16
(3)	A person does not commit an offence under the <i>Biodiversity Conservation Act 2016</i> of harming an animal if the harm is humanely destroying the animal in accordance with this section.	17 18 19
(4)	The regulations may make further provision for the exercise by an appointed officer appointed by a local authority of functions under this Act.	20 21
(5)	Nothing in this section limits the functions of an appointed officer appointed by the Minister in relation to critical situations in an area.	22 23
(6)	A person appointed by a local authority as an appointed officer cannot exercise other functions of an appointed officer when exercising functions under this section.	24 25 26
(7)	In this section— <b>humanely destroy</b> , for an animal, means destroy the animal in a way that causes the animal to die quickly and without unnecessary pain if it would be cruel to keep the animal alive.	27 28 29 30
<b>25C</b>	<b>Delegation by local authority</b>	31
(1)	A local authority may delegate the local authority's functions under this Act or the regulations to an officer or employee of the local authority.	32 33
(2)	The power of delegation under this section cannot be delegated.	34
(3)	A delegation must be done by a written instrument of delegation.	35
(4)	A person may delegate a function delegated to the person if the instrument of delegation specifically authorises the person to delegate the function.	36 37
(5)	If a person delegates a function that was delegated to the person subject to conditions or limitations, the delegated function is subject to—	38 39
(a)	the conditions and limitations, and	40
(b)	additional conditions or limitations that may be imposed by the person.	41
<b>[52]</b>	<b>Sections 26B and 32</b>	42
	Omit “sale-yard” wherever occurring.	43
	Insert instead “saleyard”.	44

<b>[53] Section 28A, heading</b>	1
Omit “authorised”.	2
<b>[54] Section 28A, penalty</b>	3
Omit “100 penalty units”.	4
Insert instead “150 penalty units”.	5
<b>[55] Sections 29(2), 30B(3), 31(3) and 31AA(1A), penalties</b>	6
Omit the penalties.	7
Insert instead—	8
Maximum penalty—	9
(a) for an individual—50 penalty units or imprisonment for 6 months, or both, or	10 11
(b) otherwise—250 penalty units.	12
<b>[56] Sections 29A and 29B(2), penalties</b>	13
Omit the penalties.	14
Insert instead—	15
Maximum penalty—	16
(a) for an individual—50 penalty units, or	17
(b) otherwise—250 penalty units.	18
<b>[57] Section 29B False information</b>	19
Omit “this Part” from section 29B(1).	20
Insert instead “this Act”.	21
<b>[58] Section 30A Court may order payment of care and maintenance costs by accused person</b>	22 23
Insert after section 30A(2)(d)—	24
(d1) providing routine animal husbandry,	25
<b>[59] Section 30B Court may make interim disqualification order during proceedings</b>	26
Omit section 30B(2)(a).	27
Insert instead—	28
(a) the completion of all proceedings against the person for animal cruelty offences, or	29 30
<b>[60] Section 31 Court may make further orders following findings of guilt etc</b>	31
Insert “, 18A(1)(c), (d) or (e)” after “18” in section 31(1AA)(a).	32
<b>[61] Section 31(4)</b>	33
Omit “24J (1)”.	34
Insert instead “24J(1) or (3A)”.	35
<b>[62] Sections 34D and 34E</b>	36
Insert after section 34C—	37

**34D Service of documents**

- (1) A document, including a notice, that is authorised or required by this Act or the regulations to be served on a person may be served in the following ways—
- (a) for an individual—
    - (i) delivering the document to the individual personally, or
    - (ii) sending the document by post to the address specified by the individual for the service of documents, or
    - (iii) if an address is not specified by the individual—sending the document by post to the residential or business address of the person last known to the person serving the document, or
    - (iv) sending the document by email or other electronic means to an email address or other location nominated by the individual for the service of documents,
  - (b) for a corporation—
    - (i) leaving the document with a person, who is apparently more than 16 years of age, at the corporation’s registered office or another office of the corporation, or
    - (ii) sending the document by post to the address of the corporation’s registered office or another office of the corporation, or
    - (iii) sending the document by email or other electronic means to an email address or other location nominated by the corporation for the service of documents,
  - (c) if the document relates to an animal kept by a person—by fixing the document to a conspicuous part of the premises at which the animal is kept,
  - (d) in another way authorised by the regulations for the service of documents.
- (2) Service under subsection (1)(c) is not permitted unless reasonable steps have been taken to serve the document in another way.
- (3) This section does not affect the operation of a provision of a law or of the rules of a court authorising a document to be served on a person in another way.
- (4) In this section—  
*serve* includes give and send.

**34E Personal liability**

- (1) A protected person is not personally subject to liability for anything done—
- (a) in good faith, and
  - (b) for the purpose of exercising a function under this Act.
- (2) The liability instead attaches to the Crown.
- (3) In this section—  
*done* includes omitted to be done.  
*liability* means civil liability and includes action, claim and demand.  
*protected person* means the following—
- (a) a member of a Stock Welfare Panel,
  - (b) an inspector, limited to the exercise of functions under Part 2B or section 24J(3B),

(c)	an appointed officer appointed by a local authority, limited to the exercise of functions under section 25B(2),	1
		2
(d)	a person acting under the direction of a person referred to in paragraphs (a)–(c).	3
		4
<b>[63]</b>	<b>Section 35 Regulations</b>	5
	Insert after section 35(1)(c)—	6
	(c1) the regulation and control of animal operations,	7
<b>[64]</b>	<b>Section 35(3)(a) and (b)</b>	8
	Omit the paragraphs.	9
	Insert instead—	10
	(a) for an offence relating to animal operations, animal trades or the confinement or use of laying fowl for commercial egg production—	11
	(i) for an individual—75 penalty units, or	12
	(ii) otherwise—300 penalty units, or	13
	<b>Example of laying fowl—</b> domesticated chicken	14
	(b) for another offence—	15
	(i) for an individual—35 penalty units, or	16
	(ii) otherwise—150 penalty units.	17
		18
<b>[65]</b>	<b>Section 35A Act binds Crown</b>	19
	Insert after section 35A(2)(a)—	20
	(a1) to the use and handling of dogs by members of the Australian Defence Force in the course of their duties, or	21
		22
<b>[66]</b>	<b>Whole Act</b>	23
	Omit “shall” wherever occurring, except in section 2 and Schedule 2.	24
	Insert instead “must”.	25
<b>[67]</b>	<b>Schedule 2 Savings and transitional provisions</b>	26
	Insert at the end of the schedule with appropriate part numbering—	27
<b>Part</b>	<b>Provisions consequent on enactment of Prevention of Cruelty to Animals Amendment (Enforcement and Operational Powers) Act 2026</b>	28
		29
		30
<b>1</b>	<b>Re-enacted provision</b>	31
	For the <i>Interpretation Act 1987</i> , section 68(3)(a), this Act, section 18A is re-enacted from section 18(1) as in force immediately before the commencement of section 18A.	32
		33
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<b>Schedule 2</b>	<b>Consequential amendments of other legislation</b>	1
<b>2.1</b>	<b>Child Protection (Working with Children) Act 2012 No 51</b>	2
	<b>Section 33A Notification of animal cruelty offences</b>	3
	Omit “12,” from section 33A(2), definition of <i>animal cruelty offence</i> , paragraph (a).	4
	Insert instead “12AA, 12AB, 12,”.	5
<b>2.2</b>	<b>Poisons and Therapeutic Goods Regulation 2008</b>	6
	<b>Clause 65A</b>	7
	Insert after clause 65—	8
<b>65A</b>	<b>Use of certain restricted substances on animals for sedation or pain relief—the Act, s 17(1)(c)</b>	9
	(1) This clause applies to the following substances ( <i>relevant substances</i> )—	11
	(a) xylazine,	12
	(b) zolazepam in preparation with tiletamine.	13
	(2) An accredited inspector may obtain or use a relevant substance if—	14
	(a) the relevant substance is obtained and used—	15
	(i) only for the purpose of sedating or providing pain relief to an animal, and	16
	(ii) in accordance with the requirements of subclauses (3)–(7), and	18
	(b) the accredited inspector has an authority under Part 8 to obtain and use the relevant substance, and	19
	(c) for the relevant substance zolazepam in preparation with tiletamine—the accredited inspector is authorised under the Act, section 16(1)(d) to obtain possession of the relevant substance.	21
	Maximum penalty—20 penalty units.	22
	(3) The accredited inspector must ensure the relevant substance is kept at premises separately from all other goods in a safe, cupboard or other receptacle that is—	24
	(a) securely attached to a part of the premises, and	25
	(b) kept securely locked except when in immediate use.	26
	(4) The accredited inspector may keep the relevant substance in a bag or container in a vehicle if the vehicle is kept locked when it is not occupied by a person.	27
	(5) The accredited inspector must keep a separate register of all relevant substances that are obtained or used by the accredited inspector.	29
	(6) On the day the accredited inspector obtains or uses a relevant substance, the accredited inspector must enter in the register the following details, as relevant to the transaction—	30
	(a) the quantity of the relevant substance obtained,	31
	(b) the quantity of the relevant substance used,	32
	(c) the name and address of the person from whom the relevant substance was obtained,	33
	(d) the number and species of animals for which the relevant substance was used,	34
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(e)	the total quantity of the relevant substance held by the accredited inspector after the entry is made.	1
		2
(7)	Each entry must be dated and signed by the accredited inspector.	3
(8)	In this clause—	4
	<i>accredited inspector</i> means an accredited inspector within the meaning of the <i>Prevention of Cruelty to Animals Act 1979</i> , Part 2A, Division 2 who—	5
		6
(a)	is an employee of an approved charitable organisation, and	7
(b)	has demonstrated, to a veterinary practitioner, competency in the use of relevant substances on animals.	8
		9
<b>2.3</b>	<b>Veterinary Practice Act 2003 No 87</b>	10
	<b>Schedule 1 Unrestricted acts of veterinary science</b>	11
	Omit clause 1(e)(ii).	12
	Insert instead—	13
	(ii) pigs that are 21 days of age or less,	14
<b>2.4</b>	<b>Veterinary Practice Regulation 2013</b>	15
	<b>Clause 4 Restricted acts of veterinary science</b>	16
	Omit clause 4(1)(d)(viii)–(x).	17
	Insert instead—	18
	(viii) castrating animals other than—	19
	(A) pigs that are 21 days of age or less, or	20
	(B) cattle, sheep, goats, camels, deer, American bison, water buffalo or blackbuck that are less than 6 months of age,	21
		22

<b>Schedule 3</b>	<b>Amendment of Prevention of Cruelty to Animals Regulation 2025</b>	1
		2
<b>[1]</b>	<b>Sections 6(2), 7(1), 8(1), 9(1), 10(1), 11, 12(1)–(3), 13(1), 14(1)–(3), 15(1), 16(1), 17(2) and (4), 18(1), 19, 20(1), 21, 22(2) and (3), 23, 24 and 32(1), penalties</b>	3
	Omit the penalties.	4
	Omit the penalties.	5
	Insert instead—	6
	Maximum penalty—	7
	(a) for an individual—75 penalty units, or	8
	(b) otherwise—300 penalty units.	9
<b>[2]</b>	<b>Section 26 Pinioning of birds’ wings</b>	10
	Omit section 26(2)(f).	11
	Insert instead—	12
	(f) the pinion is cut off by a veterinary practitioner.	13
<b>[3]</b>	<b>Section 26(3)(d)</b>	14
	Omit the paragraph.	15
	Insert instead—	16
	(d) the pinion is cut off by a veterinary practitioner.	17
<b>[4]</b>	<b>Section 27</b>	18
	Omit the section.	19
	Insert instead—	20
	<b>27 Controlled procedures—the Act, s 12</b>	21
	For the Act, section 12(1)(b)(i), a veterinary practitioner may carry out the following controlled procedures on an animal if the procedure is necessary to treat an injury or disease of the animal—	22
	(a) docking the tails of cattle, dogs or horses,	23
	(b) cropping the ears of a dog,	24
	(c) removing one or more claws from a cat.	25
<b>[5]</b>	<b>Section 28, heading</b>	26
	Omit “12(2)”.	27
	Insert instead “12(1)”.	28
<b>[6]</b>	<b>Section 29 Declawing of cats—the Act, s 12(2)</b>	29
	Omit the section.	30
<b>[7]</b>	<b>Section 30, heading</b>	31
	Omit the heading.	32
	Insert instead—	33
	<b>30 Registers for controlled procedures—the Act, ss 12A(1) and 35(1)(g)</b>	34
		35
		36

<b>[8] Section 30(2) and (3)</b>	1
Omit “regulated procedure” wherever occurring.	2
Insert instead “controlled procedure”.	3
<b>[9] Section 30(4)</b>	4
Omit the subsection.	5
<b>[10] Section 32 Conduct of animal trades</b>	6
Omit section 32(2), penalty.	7
Insert instead—	8
Maximum penalty—75 penalty units.	9
<b>[11] Section 38 Prescribed members of Stock Welfare Panel</b>	10
Omit “section 24T(1)(d)” wherever occurring in section 38(1) and (3).	11
Insert instead “section 24PA(3)”.	12
<b>[12] Section 38(3)</b>	13
Omit “section 24T(1)(c)”.	14
Insert instead “section 24PA(2)(c)”.	15
<b>[13] Section 39 Penalty notice offences</b>	16
Omit section 39(b).	17
Insert instead—	18
(b) the penalty prescribed for the offence is—	19
(i) for an individual—the amount specified in Schedule 2, Column 2, or	20
(ii) otherwise—the amount specified in Schedule 2, Column 3.	21
<b>[14] Section 42 Prohibited traps</b>	23
Omit section 42(1).	24
Insert instead—	25
(1) For the Act, section 23(1), a person must not possess or set a glue trap unless the glue trap—	26
(a) has a cage or other protection which prevents an animal from contact with the glue, adhesive material or viscid substance used in the trap, or	27
(b) is otherwise designed to prevent the capture of an animal in the trap.	28
<b>[15] Section 47</b>	31
Omit the section.	32
Insert instead—	33
<b>47 Conveyance of large stock animals—the Act, s 35(1)(a)(ii)</b>	34
(1) A person must not convey an animal if—	35
(a) the animal is a large stock animal, and	36
(b) the animal is conveyed in a cage or vehicle, and	37

	(c) the animal is unable to stand upright without a part of the animal coming into contact with the roof, ceiling or cover of the cage or vehicle.	1
	Maximum penalty—	2
	(a) if the animal is conveyed in the course of an animal trade—	3
	(i) for an individual—35 penalty units, or	4
	(ii) otherwise—150 penalty units, or	5
	(b) if the animal is conveyed other than in the course of an animal trade—	6
	35 penalty units.	7
(2)	The person in charge of the animal is also guilty of an offence under subsection (1) if the person authorised the conveyance of the animal.	8
(3)	In this section—	9
	<i>convey</i> includes carry.	10
	<i>large stock animal</i> means the following stock animals—	11
	(a) camelids,	12
	(b) cattle,	13
	(c) deer,	14
	(d) goats,	15
	(e) horses,	16
	(f) pigs,	17
	(g) sheep.	18
<b>[16]</b>	<b>Section 48 Use of animals in films and theatrical performances—the Act, s 35(1)(a)(iv)</b>	19
	Omit section 48(1), penalty.	20
	Insert instead—	21
	Maximum penalty—	22
	(a) for an individual—35 penalty units, or	23
	(b) otherwise—150 penalty units.	24
<b>[17]</b>	<b>Schedule 2</b>	25
	Omit the schedule.	26
	Insert instead—	27
	<b>Schedule 2 Penalty notice offences</b>	28
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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision of Act</b>	<b>Penalty (individuals)</b>	<b>Penalty (otherwise)</b>
Section 7(2)	\$500	\$2,500
Section 7(2A)	\$500	—
Section 7A(2)	\$1,000	\$5,000
Section 7A(3)	\$1,000	\$5,000
Section 8(1)	\$500	\$2,500
Section 9(1)	\$500	\$2,500
Section 10(1)	\$500	\$2,500
Section 10(2)	\$500	\$2,500
Section 10(3)	\$500	\$2,500
Section 10(5)	\$500	\$2,500
Section 11	\$1,000	\$5,000
Section 12AA(1)	\$1,000	\$5,000
Section 12AB	\$1,000	\$5,000
Section 12(1)	\$1,000	\$5,000
Section 12A(1)	\$250	—
Section 12A(2)	\$250	\$1,500
Section 12A(3)	\$250	\$1,500
Section 13	\$1,000	\$5,000
Section 14	\$500	—
Section 16(2)	\$1,000	\$5,000
Section 17(1)	\$1,000	\$5,000
Section 18(1)	\$1,000	\$5,000
Section 18A(1)	\$1,000	\$5,000
Section 19	\$1,000	\$5,000
Section 19A(2)	\$1,000	\$5,000
Section 19A(3)	\$1,000	\$5,000
Section 20	\$1,000	\$5,000
Section 21A	\$1,000	\$5,000
Section 21B	\$1,000	\$5,000
Section 21BA	\$500	\$2,500
Section 21C	\$1,000	\$5,000
Section 22A(1)	\$1,000	\$5,000
Section 23(1)	\$1,000	\$5,000
Section 23(2)	\$1,000	\$5,000
Section 23A(1)	\$1,000	\$5,000
Section 23D(1)	\$1,000	\$5,000

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision of Act</b>	<b>Penalty (individuals)</b>	<b>Penalty (otherwise)</b>
Section 23E(1)	\$500	\$2,500
Section 23F	\$500	\$2,500
Section 23G(2)	\$500	\$2,500
Section 23H(1)	\$1,000	\$5,000
Section 23H(4)	\$500	\$2,500
Section 23I(2)	\$1,000	\$5,000
Section 23I(2A)	\$1,000	\$5,000
Section 23L(1)	\$1,000	\$5,000
Section 23L(2)	\$1,000	\$5,000
Section 24AE(4)	\$500	—
Section 24A(2)	\$250	—
Section 24B(1)	\$500	—
Section 24G(3)	\$250	—
Section 24N(2)	\$500	\$2,500
Section 24QB(6)	\$500	\$2,500
Section 24QC(1)	\$500	\$2,500
Section 28A	\$500	—

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision of this regulation</b>	<b>Penalty (for individuals)</b>	<b>Penalty (otherwise)</b>
Section 6(2)	\$500	\$2,500
Section 7(1)	\$500	\$2,500
Section 8(1)	\$500	\$2,500
Section 9(1)	\$500	\$2,500
Section 10(1)	\$500	\$2,500
Section 11	\$500	\$2,500
Section 12(1)	\$500	\$2,500
Section 12(2)	\$500	\$2,500
Section 12(3)	\$500	\$2,500
Section 13(1)	\$500	\$2,500
Section 14(1)	\$500	\$2,500
Section 14(2)	\$500	\$2,500
Section 14(3)	\$500	\$2,500
Section 15(1)	\$500	\$2,500
Section 16(1)	\$500	\$2,500

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision of this regulation</b>	<b>Penalty (for individuals)</b>	<b>Penalty (otherwise)</b>
Section 17(2)	\$500	\$2,500
Section 17(4)	\$500	\$2,500
Section 18(1)	\$500	\$2,500
Section 19	\$500	\$2,500
Section 20(1)	\$500	\$2,500
Section 21	\$500	\$2,500
Section 23	\$500	—
Section 24	\$500	\$2,500
Section 32(1)	\$500	\$2,500
Section 32(2)	\$500	—
Section 47(1)	\$500	\$2,500
Section 48(1)	\$500	\$2,500