

FIRST PRINT

**PREVENTION OF CRUELTY TO ANIMALS (FURTHER
AMENDMENT) BILL 1985**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Prevention of Cruelty to Animals Act 1979 so as to enable veterinary surgeons to destroy severely injured or diseased animals, to exclude any claim for compensation arising out of the destruction of such animals, and to make certain other amendments.

Clause 1 specifies the short title of the proposed Act.

Clause 2 is a formal provision that gives effect to the Schedule of amendments.

Schedule 1 (1) inserts into the Principal Act proposed section 26A. The proposed section enables a veterinary surgeon to take possession of and to destroy a severely injured or diseased animal where the veterinary surgeon is of the opinion that it is cruel to keep the animal alive. It also enables a veterinary surgeon to recover reasonable costs incurred in destroying such an animal.

Schedule 1 (2) inserts into the Principal Act proposed section 32A. The proposed section gives protection against any claim for compensation to any person who destroys a severely injured or diseased animal in accordance with the powers given to veterinary surgeons, prescribed officers or Local Courts under the Principal Act.

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UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

WYOMING
SANDWICH MOUNTAIN
NATIONAL MONUMENT

RECONSTRUCTION OF SANDWICH MOUNTAIN NATIONAL MONUMENT
BY THE SANDWICH MOUNTAIN NATIONAL MONUMENT RECONSTRUCTION ACT
OF 1982 (96 STAT. 100)

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
SANDWICH MOUNTAIN NATIONAL MONUMENT
WYOMING

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SANDWICH MOUNTAIN NATIONAL MONUMENT
WYOMING

**PREVENTION OF CRUELTY TO ANIMALS (FURTHER
AMENDMENT) BILL 1985**

No. , 1985

A BILL FOR

An Act to amend the Prevention of Cruelty to Animals Act 1979 in relation to the destruction of severely injured or diseased animals, and for other purposes.

Prevention of Cruelty to Animals (Further Amendment) 1985

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

5 Short title

1. This Act may be cited as the "Prevention of Cruelty to Animals (Further Amendment) Act 1985".

Amendment of Act No. 200, 1979

2. The Prevention of Cruelty to Animals Act 1979 is amended in the
10 manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 2)

**AMENDMENTS TO THE PREVENTION OF CRUELTY TO
ANIMALS ACT 1979**

15 (1) Section 26A—

After section 26, insert:

Powers of veterinary surgeons to destroy animals

26A. (1) Where, in the opinion of a veterinary surgeon—

- 20 (a) an animal is so severely injured, so diseased or in such a physical condition that it is cruel to keep it alive; and
(b) the animal is not about to be destroyed, or is about to be destroyed in a manner that will inflict unnecessary pain upon the animal,

the veterinary surgeon may—

- 25 (c) take possession of the animal;
(d) remove the animal to such place as the veterinary surgeon thinks fit; and
30 (e) destroy the animal, or cause it to be destroyed, in a manner that causes it to die quickly and without unnecessary pain.

Prevention of Cruelty to Animals (Further Amendment) 1985

SCHEDULE 1—*continued*

AMENDMENTS TO THE PREVENTION OF CRUELTY TO
ANIMALS ACT 1979—*continued*

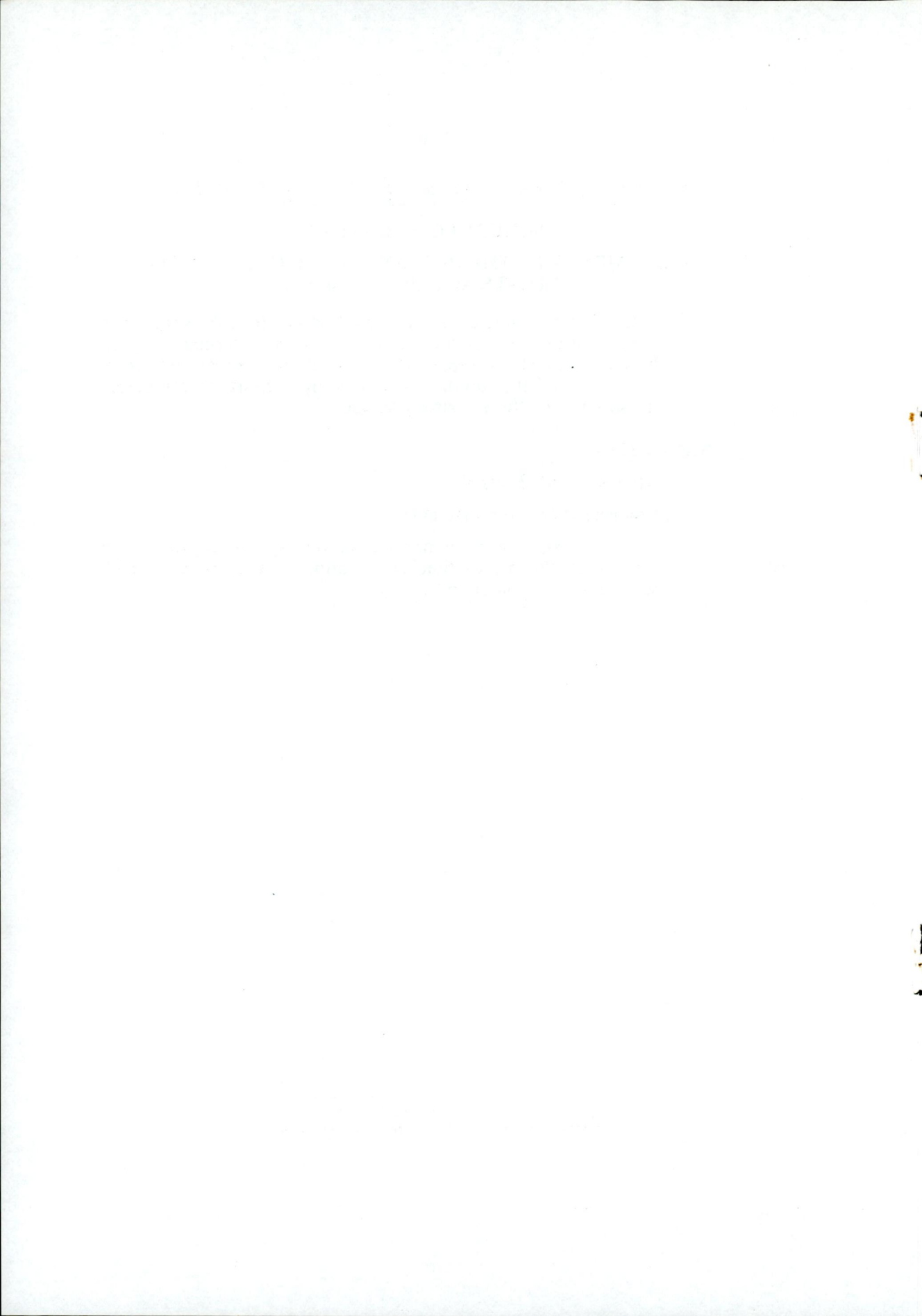
5 (2) The reasonable costs incurred by a veterinary surgeon in the exercise of the powers conferred upon the veterinary surgeon by subsection (1) in respect of an animal may be recovered from the owner of the animal as a debt in a court of competent jurisdiction by the veterinary surgeon.

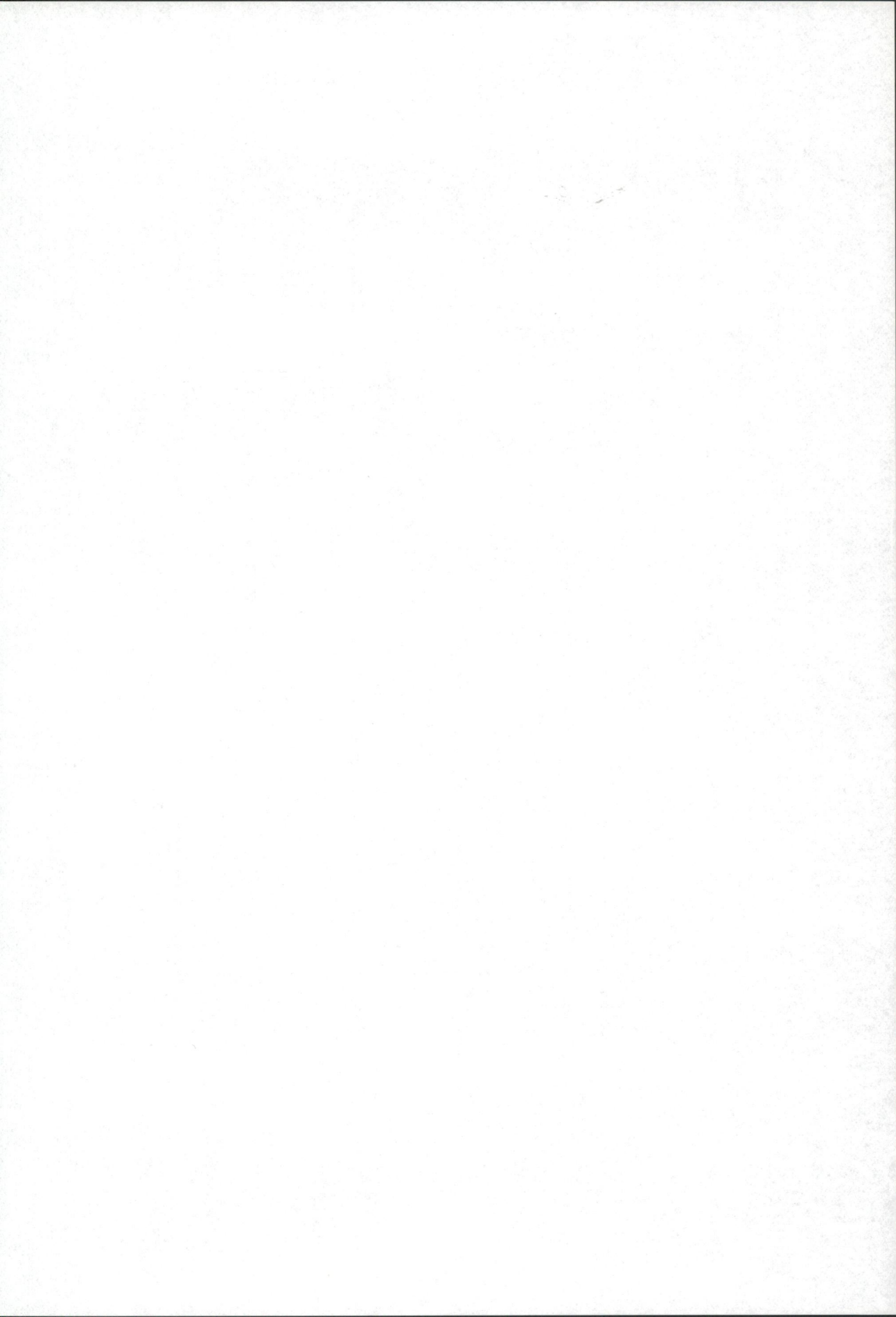
(2) Section 32A—

After section 32, insert:

Compensation not recoverable

10 32A. Compensation is not recoverable against any person in respect of the destruction of an animal in accordance with section 26 (4), 26A (1) or 30 (2).





FIRST PRINT

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CHICAGO, ILL. 60607

**PREVENTION OF CRUELTY TO ANIMALS (FURTHER
AMENDMENT) ACT 1985 No. 130**

New South Wales



ANNO TRICESIMO QUARTO

ELIZABETHÆ II REGINÆ

* * * * *

Act No. 130, 1985

An Act to amend the Prevention of Cruelty to Animals Act 1979 in relation to the destruction of severely injured or diseased animals, and for other purposes. [Assented to, 25th November, 1985.]

Prevention of Cruelty to Animals (Further Amendment) 1985

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the "Prevention of Cruelty to Animals (Further Amendment) Act 1985".

Amendment of Act No. 200, 1979

2. The Prevention of Cruelty to Animals Act 1979 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE PREVENTION OF CRUELTY TO ANIMALS ACT 1979

(1) Section 26A—

After section 26, insert:

Powers of veterinary surgeons to destroy animals

26A. (1) Where, in the opinion of a veterinary surgeon—

- (a) an animal is so severely injured, so diseased or in such a physical condition that it is cruel to keep it alive; and
- (b) the animal is not about to be destroyed, or is about to be destroyed in a manner that will inflict unnecessary pain upon the animal,

the veterinary surgeon may—

- (c) take possession of the animal;
- (d) remove the animal to such place as the veterinary surgeon thinks fit; and
- (e) destroy the animal, or cause it to be destroyed, in a manner that causes it to die quickly and without unnecessary pain.

SCHEDULE 1—*continued*

AMENDMENTS TO THE PREVENTION OF CRUELTY TO
ANIMALS ACT 1979—*continued*

(2) The reasonable costs incurred by a veterinary surgeon in the exercise of the powers conferred upon the veterinary surgeon by subsection (1) in respect of an animal may be recovered from the owner of the animal as a debt in a court of competent jurisdiction by the veterinary surgeon.

(2) Section 32A—

After section 32, insert:

Compensation not recoverable

32A. Compensation is not recoverable against any person in respect of the destruction of an animal in accordance with section 26 (4), 26A (1) or 30 (2).

