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[CONFIDENTIAL]

(Rough Draft for Consideration Only.)

No. , 1919.

A BILL

To make further provision for the prevention of cruelty to animals; to provide for the registration of certain animals; to amend the Prevention of Cruelty to Animals Act, 1901; and for purposes consequent thereon or incidental thereto.

BE it enacted by the King'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:—

1. This Act may be cited as the "Prevention of Cruelty to Animals (Amendment) Act, 1919." Short title.

2. Section four of the Prevention of Cruelty to Animals Act, 1901, is amended— Amendment of s. 4.

- (a) in subsection one by inserting after the word “causes” in paragraphs (a) and (e) the words “or permits,” and by omitting the words “five pounds” and inserting “ten pounds” in lieu thereof; and
- (b) in subsection two by omitting the words “five pounds” and inserting “ten pounds” in lieu thereof.

3. The following new sections are inserted next after section four of the said last-mentioned Act:— New sections.

4A. (1) From the first day of January, one thousand nine hundred and twenty, the manager of every mine in New South Wales shall keep or cause to be kept at the mine a register of all animals of draught or burden which are at such date or may at any time thereafter be kept or worked at or in such mine. Registration and inspection of animals employed at mines.

(2) Such register shall contain the following particulars in respect of each such horse—

- (a) kind of animal,
- (b) age at date of registration,
- (c) sex,
- (d) colour and distinctive markings,
- (e) brands,
- (f) date when brought on to mine premises,
- (g) date of removal from such premises.

(3) Such registration in respect of particulars under the above subparagraphs (a) to (f) inclusive shall be made within twenty-four hours on the said first day of January, or of the day on which the animal concerned comes on to the mine premises, whichever shall last happen, and in respect of particulars under paragraph (g) within twenty-four hours of the day on which the animal is so removed.

(4) Any person authorised in writing by the Society for the Prevention of Cruelty to Animals or any member of the police force may at all reasonable times inspect all such animals kept or worked at or in such mine, and at any such inspection

inspection such manager shall produce such register or cause the same to be produced for inspection by such person or member of the police force.

(5) Any person who by any act or default contravenes the provisions of this section shall on conviction before any two justices be liable to a penalty not exceeding *ten* pounds, and in the case of a continuing offence to a penalty of *five* pounds for each day during which such offence continues.

4B. (1) A poundkeeper upon obtaining a certificate from any sergeant of police or member of the police force above that rank that an impounded animal is so injured or diseased, or in such physical condition that it is not, and is not likely to be fit for use, and that it is cruel to keep it alive, may slaughter such animal, or cause or procure it to be slaughtered, in as humane a manner as is practicable in the circumstances.

Animals may be slaughtered in certain cases.

(2) Upon proof to the satisfaction of any stipendiary magistrate, police magistrate, or any two justices that any animal, on account of injury, disease, age, or any infirmity, is not and is not likely to be fit for use, and that it is cruel to keep it alive, such magistrate or justices may order and cause it to be slaughtered in as humane a manner as is practicable in the circumstances.

(3) Where any animal is seriously injured, or is suffering pain, and in the opinion of a member of the police force is obviously beyond recovery, such member may slaughter such animal, or cause it to be slaughtered, in as humane a manner as is practicable in the circumstances.

(4) No person shall have any claim for civil damage in respect of the slaughter of any animal under the provisions of this section.

4c. Any person who, for the purpose of use, purchases or sells, or offers to purchase or sell, or causes, procures, or permits to be purchased or sold, any animal which in the opinion of a stipendiary magistrate, police magistrate, or any two justices, is, on account of injury, disease, age, or any infirmity, not and is not likely to be fit for use, shall on conviction before such magistrate or justices be liable to a penalty not exceeding *ten* pounds, and such magistrate or justices may declare any such purchase or sale to be void, and may order any money or other consideration paid or given in respect of such avoided purchase or sale to be refunded.

Purchase, &c., of animal unfit for use.