

Inquiry into the Animal Care and Protection Amendment Bill 2022

Submission No: 883
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Attachments: See attachment
Submitter Comments:

Clause 5 Amendment of s 17 (Breach of duty of care prohibited)

Section 17(2), penalty—

omit, insert—

Maximum penalty—

(a) if the breach causes death, serious deformity, serious disability or prolonged suffering of an animal—2,000 penalty units or 3 years imprisonment; or

(b) otherwise—300 penalty units or 1 year's imprisonment.

AMEND TO

(a) if the breach causes death, serious deformity, serious disability or prolonged suffering of an animal—2,000 penalty units or 15 years imprisonment; or

(b) otherwise—1000 penalty units or 10 year's imprisonment.

Clause 9 Replacement of s 24 (Docking dog's tail)

Section 24—

omit, insert—

24 Docking dog's tail

(1) A person, other than a veterinary surgeon, must not dock a dog's tail.

Maximum penalty—100 penalty units.

(2) A veterinary surgeon must not dock a dog's tail unless the surgeon reasonably considers the docking is in the interests of the dog's welfare.

Maximum penalty—100 penalty units.

AMEND TO

(1) A person, other than a veterinary surgeon, must not dock a dog's tail.

Maximum penalty—500 penalty units and 3 year imprisonment

(2) A veterinary surgeon must not dock a dog's tail unless the surgeon reasonably considers the docking is in the interests of the dog's welfare.
Maximum penalty—amend to 500 penalty units and 3 year imprisonment

Division 5 Possession or use of

prohibited devices

37A Possession or use of prohibited devices

(1) A person must not possess any of the following devices (each a *prohibited device*) unless the person has a reasonable excuse—

- (a) a prong collar;
- (b) another restraint device prescribed by regulation.

Maximum penalty—30 penalty units.

(2) A person must not use a prohibited device on an animal unless the person has a reasonable excuse.

Maximum penalty—100 penalty units.

AMEND TO

(2) A person must not use a prohibited device on an animal unless the person has a reasonable excuse (excluding a prong collar, these are used under no circumstances)

Maximum penalty—100 penalty units and 1 year imprisonment.

Division 7 Firing or blistering

37C Firing or blistering on horses and dogs

A person must not apply extreme heat or cold, or acid or another caustic chemical, to the leg of a horse or dog with the intention of causing tissue damage or developing scar tissue around the ligaments or tendons of the animal's leg.

Maximum penalty—300 penalty units or 1 year's imprisonment.

AMEND TO

Maximum penalty—500 penalty units or 1 year's imprisonment.