

Passed by both Houses



New South Wales

# Prevention of Cruelty to Animals Amendment (Prosecutions) Bill 2007

## Contents

---

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Prevention of Cruelty to Animals Act 1979 No 200	2
4 Repeal of Act	2
Schedule 1 Amendments	3

---

*I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.*

*Clerk of the Legislative Assembly.  
Legislative Assembly,  
Sydney, , 2007*



New South Wales

## **Prevention of Cruelty to Animals Amendment (Prosecutions) Bill 2007**

Act No , 2007

---

An Act to amend the *Prevention of Cruelty to Animals Act 1979* in relation to the persons and organisations authorised to institute proceedings under that Act.

---

*I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.*

*Assistant Speaker of the Legislative Assembly.*

---

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

**1 Name of Act**

This Act is the *Prevention of Cruelty to Animals Amendment (Prosecutions) Act 2007*.

**2 Commencement**

This Act commences on 1 January 2008.

**3 Amendment of Prevention of Cruelty to Animals Act 1979 No 200**

The *Prevention of Cruelty to Animals Act 1979* is amended as set out in Schedule 1.

**4 Repeal of Act**

- (1) This Act is repealed on the day following the day on which this Act commences.
- (2) The repeal of this Act does not, because of the operation of section 30 of the *Interpretation Act 1987*, affect any amendment made by this Act.

---

## Schedule 1 Amendments

(Section 3)

### [1] Section 34AA

Insert after section 34:

#### **34AA Authority to prosecute**

- (1) Proceedings for an offence against this Act or the regulations may be instituted only by:
  - (a) an approved charitable organisation, or
  - (b) an inspector within the meaning of Division 2 of Part 2A, other than a police officer, or
  - (c) a police officer, or
  - (d) the Minister or the Director-General of the Department of Primary Industries, or
  - (e) a person with the written consent of the Minister or that Director-General, or
  - (f) any other person or body prescribed by the regulations for the purpose of this section.
- (2) In proceedings for an offence against this Act or the regulations, a consent to institute the proceedings, purporting to have been signed by the Minister or the Director-General of the Department of Primary Industries, is evidence of that consent without proof of the signature of the Minister or Director-General.

### [2] Schedule 2 Savings and transitional provisions

Insert at the end of clause 1 (1):

*Prevention of Cruelty to Animals Amendment (Prosecutions) Act  
2007*

**[3] Schedule 2, Part 5**

Insert after Part 4:

**Part 5 Provision consequent on enactment of  
Prevention of Cruelty to Animals  
Amendment (Prosecutions) Act 2007**

**8 Proceedings for offences**

Section 34AA does not apply to offences committed before the commencement of that section.