Western Australia

Animal Welfare Amendment Act 2018

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Western Australia

Animal Welfare Amendment Act 2018

No. 35 of 2018


[Assented to 28 November 2018]

The Parliament of Western Australia enacts as follows:
1. **Short title**
   This is the *Animal Welfare Amendment Act 2018*.

2. **Commencement**
   This Act comes into operation as follows —
   (a) sections 1 and 2 — on the day on which this Act receives the Royal Assent;  
   (b) the rest of the Act — on the day after that day.

3. **Act amended**
   This Act amends the *Animal Welfare Act 2002*.

4. **Section 3 amended**
   Before section 3(1)(a) insert:
   
   (aa) regulating the conduct of people in relation to animals, including the manner in which animals are treated, cared for and managed; and

5. **Section 5 amended**
   After section 5(1) insert:
   
   (1A) In this Act unless the contrary intention appears a reference to Part 3 includes a reference to regulations referred to in section 18B.
6. **Part 3 heading replaced**

Delete the heading to Part 3 and insert:

**Part 3 — Welfare, safety and health of animals**

7. **Part 3 Divisions 1 and 2 inserted**

At the beginning of Part 3 insert:

**Division 1 — Objects of this Part**

**18A. Objects of Part**

The objects of this Part are —

(a) to promote and protect the welfare, safety and health of animals; and

(b) to ensure animals are properly and humanely treated, cared for and managed.

**Division 2 — Regulations about animal welfare, safety and health**

**18B. Regulations — animal welfare, safety and health**

(1) Without limiting section 94(1), regulations may be made under that subsection for the purpose of achieving the objects of this Part.

(2) Without limiting subsection (1), the regulations may provide for, authorise, prescribe, require, prohibit, restrict or otherwise regulate the following —

(a) the treatment, care and handling of animals;

(b) animal accommodation;

(c) the transportation of animals;
(d) the keeping of animals;
(e) the husbandry of animals;
(f) the identification of animals;
(g) the medical or surgical treatment of animals;
(h) facilities and equipment used in relation to animals;
(i) the destruction and slaughtering of animals;
(j) the control of animals, including pest animals;
(k) farming or grazing activities;
(l) the management of zoos, wildlife parks or similar establishments;
(m) the management of animal breeding establishments;
(n) the training of animals;
(o) the sale of animals;
(p) the use of animals for commercial, recreational or other purposes;
(q) the qualifications and experience of persons dealing with animals.

8. **Part 3 Division 3 heading inserted**

Before section 19 insert:

**Division 3 — Cruelty and other inhumane and improper treatment of animals**
9. **Section 84 amended**

In section 84 after “Part 3” insert:

Division 3

10. **Section 94 amended**

After section 94(2) insert:

(3) In subsection (2)(d) —

*code of practice* includes a standard, rule, specification or other similar document.

Note: The heading to amended section 94 is to read:

*Regulations — general power*