



Western Australia

Animal Welfare Amendment Act 2018

As at 28 Nov 2018

No. 35 of 2018

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Animal Welfare Amendment Act 2018

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Western Australia

Animal Welfare Amendment Act 2018

No. 35 of 2018

An Act to amend the *Animal Welfare Act 2002*.

[Assented to 28 November 2018]

The Parliament of Western Australia enacts as follows:

s. 1

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
