



ANIMAL WELFARE LEGISLATION IN NSW

Name of Legislation *Prevention of Cruelty to Animals Act 1979*
Prevention of Cruelty to Animals (Amendment) Act 1997

Background information

The purpose of *Prevention of Cruelty to Animals Act* (The Act) is to:

- prevent cruelty to animals, and
- promote the welfare of animals by requiring a person in charge of an animal:
- provide care for the animal, and
- treat the animal in a humane manner, and
- ensure the welfare of the animal.

Administering Department NSW Agriculture

Who are legislated inspectors: Full time RSPCA officers; specified NSW Agriculture Officers and Police Officers.

Maximum penalty for cruelty: There are substantial penalties for individuals and corporations for offences against *the Act*. Examples of offences include:

- Aggravated cruelty
- Cruelty
- Failure to provide food, drink or shelter
- Abandoning animals
- Illegal operations

Maximum penalty: 500 penalty units in the case of a corporation and 100 penalty units or imprisonment for 2 years, or both, in the case of an individual.

Link to the Act:

A copy of the Act can be downloaded from:

[http://www.legislation.nsw.gov.au/viewtop/inforce/act+200+1979+FIRST+0+N/?fullquery=\(\(\(%22prevention%20of%20cruelty%22\)\)\)](http://www.legislation.nsw.gov.au/viewtop/inforce/act+200+1979+FIRST+0+N/?fullquery=(((%22prevention%20of%20cruelty%22))))

For further information contact: Animal Welfare Unit
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Phone (02) 6391 3324

Any specific references to pigs? Tethering of sows in piggeries is an illegal practice. The maximum penalty is 250 penalty units in the case of a corporation or 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.

Other information

There is no state Code of Practice relating to pigs. The National Code of Practice should be followed as a minimum standard. While a breach of the national code is not an offence in itself, if it causes animal suffering it may become an offence under the Act.

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