



## ANIMAL WELFARE LEGISLATION IN QUEENSLAND

**Name of Legislation:** *Animal Care and Protection Act 2001*

### Background information

The *Animal Care and Protection Act 2001*, (The Act) promotes responsible animal care and use, and helps ensure that animal welfare standards in Queensland meet community expectations. A new and key part of the legislation is the Duty of Care concept, which places a legal responsibility on people in charge of animals to take all reasonable steps to provide for the animal's welfare needs. The Act also defines acceptable animal welfare standards through the adoption of Codes of Practice for the various types of animal use. Queenslanders who use animals are able to identify the animal welfare standards they should be applying.

The Act has a broad range of enforcement powers to promote and monitor acceptable standards of care, and protect animals from cruelty. The national code is embedded in The Act. A breach of the code is considered grounds for prosecution. The Act has strict accountability mechanisms to protect the rights of individuals, and to ensure investigations are undertaken in a fair and objective manner.

The purpose of the Act is to:

- Promote the responsible care and use of animals.
- Provide standards for the care and use of animals that:
  - achieve a reasonable balance between the welfare of animals and the interests of people whose livelihood is dependent on animals;
  - allow for the effect of advancements in scientific knowledge about animal biology and changes in community expectations about practices involving animals.
- Protect animals from unjustifiable, unnecessary or unreasonable pain (i.e. cruelty).
- Ensure that the use of animals for scientific purposes is accountable, open and responsible

**Administering Department:** Department of Primary Industry QLD

### Who are legislated inspectors?

Authorised officers may be appointed by the DPI's CEO or the RSPCA QLD

**Australian Pork Limited**

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**Maximum penalty for cruelty**

<b>Offence</b>	<b>Penalty units</b>	<b>Fine/Imprisonment</b>
Cruelty	1000	\$75 000/ 2 years
Breach of Care of Duty	300	\$22 500/ 1 year
Unreasonable abandonment or release	300	\$22 500/ 1 year
Participation in prohibited event (dog fight, coursing, bull fighting, etc.)	300	\$22 500/ 1 year
Being present at a prohibited event	150	\$11 250/ 1 year
Dog tail docking ( other than as per regulation), cropping dog's ears, etc.	100	\$7 500
Obstructing an officer	500	\$37 500
Failure to comply with animal welfare directions	100	\$7 500 / 1 year

**Link to the Act**

A copy of the Act can be downloaded from the DPI web site:  
[http://www.austlii.edu.au/au/legis/qld/consol\\_act/acapa2001229/](http://www.austlii.edu.au/au/legis/qld/consol_act/acapa2001229/)

**For further information on the Act**

DPI Call Centre  
 Phone 13 25 23 or

RSPCA Call Centre  
 Phone (07) 3426 9971

**Any specific references to pigs?**

No

**Other information**

Recognition of the Codes of Practice in the Act defines what are acceptable standards of animal welfare for the livestock industries. These Codes will help industry to demonstrate a commitment to these standards.

The COP is admissible in evidence in a proceeding for an offence against the Act if it is relevant to the Act.

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