



ANNO DECIMO TERTIO

GEORGI VI REGIS.

A.D. 1949.

No. 60 of 1949.

**An Act to amend the Prevention of Cruelty to
Animals Act, 1936.**

[Assented to 8th December, 1949.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Prevention of Cruelty to Animals Act Amendment Act, 1949". Short titles.

(2) The Prevention of Cruelty to Animals Act, 1936, as amended by this Act, may be cited as the "Prevention of Cruelty to Animals Act, 1936-1949".

(3) The Prevention of Cruelty to Animals Act, 1936, is hereinafter referred to as "the principal Act".

2. Section 18 of the principal Act is repealed.

Repeal of
s. 18 of
principal Act.

3. Section 26 of the principal Act is amended—

Amendment of
principal Act,
s. 26—

(a) by striking out the word "section" in the seventh line thereof and by inserting in lieu thereof the word "subsection";

Power to
deprive con-
victed person
of ownership
of animals.

(b) by adding at the end thereof the following subsection (the preceding portion of the said section being read as subsection (1) thereof) :—

(2) If any person is guilty of an offence under this Act in respect of any animal, the court, upon his conviction therefor, may, if the court thinks

fit, in addition to any other punishment or order, order that the said person shall, during such period as is fixed by the order, be prohibited from having the custody of any animal of any kind whatsoever or, as the court thinks fit, of any animal of any kind specified in the order: Provided that no order shall be made under the preceding provisions of this subsection unless it is shown by evidence as to a previous conviction, or as to the character of the said person or otherwise, that an animal in the custody of the said person is likely to be exposed to cruelty. Provided further that no order shall be made under the preceding provisions of this subsection unless it is stated in the complaint upon which the conviction aforesaid was made that it is the intention of the complainant upon the conviction of the defendant to request that an order be made as aforesaid and unless the court making such order consists solely of a special magistrate.

If any person in respect of whom an order is made as aforesaid has the custody of any animal contrary to the provisions of the order, he shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds and the court may make such order as to the disposal of the animal as the court thinks fit under the circumstances.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

C. W. M. NORRIE, Governor.